



# Little River Currents

MEGWAA



EZHONWEBAAK

April, 2005 Vol. 2 Issue 4



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SUMBISSIONS

## April 29th, 2005 General Election Reminder

### Schedule:

#### ***Accuracy and logic testing of equipment***

April 28th, 2005 at 6:00 pm  
Dome Room - Bank Building  
375 River Street Manistee, Michigan

### Ballot Deadline:

Ballots must be received by noon on April 29th, 2005, the day of the election.

***Ballots received at the post office after the deadline will not be counted.***

### ***Election Day April 29th, 2005***

The Election will begin when the Ballot Box is unlocked by Mark Bowen, and the election Services Representative  
Dome Room - Bank Building  
375 River Street Manistee, Michigan

Election Board  
Mark Bowen, Chairperson  
Virginia Lenartowicz  
David Lilleberg  
John Ross



***- April -***

***Sexual Assault  
Awareness Month  
P. 26***



***Constitution  
of the  
Little River Band  
of  
Ottawa Indians  
pages 9-14***

## **BIA Tribal Revenue Allocation Plans (PerCap)**

**DEPARTMENT OF THE INTERIOR  
Bureau of Indian Affairs  
25 CFR Part 290  
RIN 1076-AD74**

**Pages 14 & 18 to 22**



Little River Band of  
Ottawa Indians  
375 River St.  
Manistee, MI 49660

PRSRT STD  
U.S. Postage  
PAID  
Permit #195  
Manistee, MI

Return Service Requested



## Little River Band of Ottawa Indians Spring Jiingtamok

April 22, 2005

7:00 p.m. Grand Entry

Little River Three Fires Conference Center

For more information, please call 231-398-9363 or toll-free

### "Dode Nmamaadiziwin Akiing" "The Family Good Life On Earth"

(Sponsored by Family Services)

April 22, 2005

Little River Three Fires Conference Center

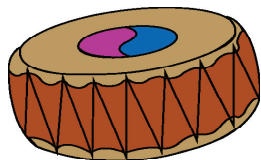
**3:30—5:00 pm Pow Wow Etiquette & Living Life on the Pow Wow Trail**  
**5:00—6:30 pm Feast**  
**7:00—? Spring Jiingtamok**

For more information on "Dode Nmamaadiziwin Akiing",  
please call 231-398-6614 or toll-free at 1-888-382-8299  
or email [shunt@lrboi.com](mailto:shunt@lrboi.com)

Bring your family to this event to learn or enhance your knowledge of living  
life on the Pow Wow trail along with basic Pow Wow etiquette.

## Little River Band of Ottawa Indians Drum Class

Little River Band Tribal Community Center  
1780 US-31 South  
Manistee, MI 49660



Dates and Times:

Tuesday, April 5, 2005 6:00 pm—8:00 pm  
Sunday, April 10, 2005 1:00 pm—3:00 pm  
Tuesday, April 12, 2005 6:00 pm—8:00 pm  
Sunday, April 17, 2005 1:00 pm—3:00 pm  
Tuesday, April 19, 2005 6:00 pm—8:00 pm  
Tuesday, April 26, 2005 6:00 pm—8:00 pm

All male Tribal members interested are encouraged  
and welcome to attend.

(Children must be accompanied by an adult during each class.)

For more information please contact:

Tribal Historic Preservation Department  
1-888-723-8288 or (231) 723-8288  
(231) 398-9383 or (231) 398-9363

(Sponsored by the Tribal Historic Preservation Department)

## Regalia, Dance & Singing Class

Wenesh pii:  
Regalia Class every Wednesday  
starting March 2nd thru  
April 20th  
6:00 pm—9:00 pm

Aanii piish:  
Tribal Community Center  
1780 US-31 South  
Manistee, MI 49660  
Come enjoy the company of  
other Tribal members while  
learning how to make your  
own regalia, dance and sing.

For more information, please  
contact the  
Tribal Historic Preservation  
Department at:  
1-888-723-8288 or (231)  
398-9363  
or email [cpc@lrboi.com](mailto:cpc@lrboi.com)

*All children must be accom-  
panied by an adult  
throughout the class time.*

Sponsored by: Cultural Preservation  
Committee & Tribal Historic Preserva-  
tion Department

The Public Information Department would like to  
apologize for omitting the hard work the Maintenance  
department did to prepare the Snow Snake track.  
Chi Miigwetch to: Clatus "Butch" Clyne, Brian Moore,  
John Shepard, Mike Sprague and Art DeBres for the  
great work they did!



An enterprise of the Little River Band of Ottawa Indians

**To apply for positions at the Little River  
Casino Resort, please call 888-568-2244 and  
ask to speak to a Recruiting Representative.  
For up to date Job Postings, please visit our  
website at [littlerivercasinos.com](http://littlerivercasinos.com) and go to  
the employment section. Also you can call  
toll free at 888-568-2244 or call the Job Ho-  
tline at 800-806-4348. Both are updated as  
the positions become available.**

*We reserve the right to edit any material submitted for space  
and content.*

*Public Information Department*



The Enrollment Department would like to inform the Tribal members that we will be making a Tribal Directory this year. We will be sending out a notice in the beginning of May. Each Tribal member who is 18 years of age or older will have the option to have his/her name and address in the directory. You also have the option to include any of the following information: telephone number, e-mail address, member’s name of his/her business, Indian name, occupation, and the name and age of such member’s minor children. After the Tribal Directory is completed in September, we will send one to each adult Tribal member.

~ ~ ~  
We have been very busy updating addresses, but there are still a lot of members who either do not have an address on file or only have a Post Office Box number. It is very important that each member has a physical address on file. The following Tribal members do not a current address on file:

Adamczak Gary Alan Adamczak Vincent Frank Adams George Roger Adkins Ronald L. Antoine Julie Mae Antoine, Jr. Charles W. Bailey Solomon Buck Baynton Marian Florence Benson Milo Christopher Birdsall Oletha Rose Bisson Laura Ann Boucher Benjamin Nathaniel Brooks Kelly Anne Brothers Jaclyn Christina Bryant Danielle Elizabeth Bunting John Alec Campeau, Sr. Timothy Owen Carey Mary Ellen Carey Roger Louis Ceplina Justin Richard Chambers Ricky Lee Christner Mary Joan	Elmer Amanda Marie Ennis Joyce Renee Febles Streisand N. Fisher Aaron Chance Fleury Andrew Phillip Fraly Nichole Leigh Frens Pamela Kay Gale Rita Annette Giltz Tony Allen Grant Isaac Timothy Gray Lillie Antoinette	Miller John Michael Mills Amanda Kay Minaker William James	Stratton Matthew Robert Stroh Sky Luke Taylor Allan Forrest Teeters Luther Everett Freeman Thiel Linda Frances Thompson Karen Lee Tippitt Elisa Lynn Torres Linda Tyler Alan Neil Tyler Larry Dean Tyler Peggy Marie Umlauf Adam Joseph Umlauf Matthew
Cogswell Randall Charles	Green Rosanne Judith Gregory Danyel Lyn Harris Regina Marie Hatley Cheryl Lynn Hayes Catlyn Marie	Nickerson, Jr. Charles Nida Daniel Lee Nigh George Helmus Olson Larry Robert Pannill Joanne Louise Pannill Michael Andre Parks Harold Lewis Paszkowski Steven Charles Paynter Dustin Chad Piechocki Patrick Michael	Alexander Vallier Elizabeth Jane Wabindato Steven Jay Wabindato Wendy Jean Wanstrom Andrea Lynne Warren II Marion Joseph Weaver Lisha Louise
Cole Corey Lee Congleton Gary Lee Corey Jennifer Lynn Cousineau Sherry Lynn Davis Michael Allen Dayton Gary Lee	Herr Robin Curtis Hewitt Joseph Robert Hewitt, Jr. Wesley Ray Holman Felicia Marie Holman Michele Renee Holub Dawn Renee Humphries Danielle Claudette Hutson, Jr. Wesley Fredrick Irish Susan Marie Irvin Dakota James Jenkins Anthony Wayne Jobes Yvonne Marie Johnson Dawn Marie Johnson Mason Anthony	Whitman Chad Eric Wilson Angie Marie Wilson Venus Charity Wilson William Gradon Wilson, Jr. Roger Allan Wittenberg Matthew B Yokeum Carol Ann York Angeline Sue	Wellman Arnita Frances Wheeler Nancy Louise Wheeler Veronica Barbara
Dean Michelle Shannon	Fernandez Johnson Thomas Dawayne Jones Constance Marie Katrinic Vicky Lynn Kerr Diane Lynn		
Dove Donald DeWayne Dove Richard Wayne Drury Jeremy Charles Ellis, III Charles Edward			
King Charles Wayne Kneidl Shirley Korhorn Jack Raymond LaBeau Harold Raymond Lacross Melissa Kay	Plato Vincent Anthony Postema Donna Marie Ptaszek Sonja Ann Purchase Joyce Janette Remeta Thomas John Rittenhouse Mitchell Ryan Rivera Rachel Marie Rogers Jennifer Leigh Rood Donna Jean Rosario Amy Philomena Rose Jacqueline Romaine Rozell Dorothy Maxine Salmonson Renee Lynn Sam Gilbert Edward		
Lake Sunni Jo Lee Mary Linn Lewis Jessica Lynn Lewis Justin Taylor Lewis, Jr. Francis Thomas Lones Katie Michelle Lones Kiana Leona Lones Recia Nicole Lones Regan Myran Lyrenmann, Jr. James Richard	Sanchez Robin Luanne Sanchez, III Samuel Joseph Schauer Shanarie Charlene Schopp Catrina Joy Shawnoskey Tresa Lyn Skyles Teresa Diane Smith Brandon Lee Somerville Daniel Albert Somerville Jacquelline Sprague Anthony Dean Stanfield June Ellen		
Marr Connie Diane	Steckler Pepin Renee Stewart Dan G Stires Eric Shane		
McKenney Sean Douglas McLain Jason Michael McLain, Jr. James Melvin McQueen Sharon Kay Mears Jo Anna Marie Medacco Jerry Moses Medacco Robert Ryan Mejia Seferino Reius Memberto Regina Ann Micko Dominyc Nimkiibneshiinh Micko Jr. Gerald John Miller Eva Marie			

**VENDORS WANTED**  
The Cultural Preservation Committee is looking for Native American vendors interested in displaying and selling their native crafts at the Spring Jiingtamok on Friday, April 22, 2005 starting at 3:00 pm at the Little River Casino's Three Fires Conference Center. Space is limited to the first five (5) vendors who reserve their space. One table and two chairs will be provided. There is no charge to set up and all displays must be contained to the table space. To reserve a space or for more information, please contact Valerie Chandler at the Tribal Historic Preservation office at 231-398-9363 or toll-free at 1-888-723-8288.



Little River Band of Ottawa Indians/Ludington Area Arts Council Seeks Tribal and Community Helpers!  
A One-time Volunteer Opportunity

TRIBAL and COMMUNITY VOLUNTEERS NEEDED

The Little River Band of Ottawa Indians along with the Ludington Area Arts Council is hosting Artrain USA, the nation’s only art museum on a train. We eagerly seek volunteers from the tribal and local community to serve as tour guides for this one time volunteer opportunity. A smile is the only necessary requirement! A training session is provided to all tour guides to familiarize them with Artrain USA and their duties.

WHAT IS ARTRAIN USA?

Artrain USA is the nation’s only traveling art museum on a train. Artrain USA will be open in Ludington for four days. May 29<sup>th</sup> and 30<sup>th</sup> are set for the general public and May 31<sup>st</sup> and June 1<sup>st</sup> for school tours only.

May 29~30	May 31-June 1
10:00am~5:00pm	8:00 am –3:00 pm

Our community will have a chance to view *Native Views: Influences of Modern Culture*, a contemporary art exhibition which focuses on how Native American artists are influenced by the popular culture of today and explores the commonalities of Native and non-Native people in North America.

WHEN ARE TOUR GUIDES NEEDED?

May 29 <sup>th</sup> and 30 <sup>th</sup>	
Shift One	Shift Two
10:00am – 1:00 pm	1:00 pm– 5:00pm
May 31 <sup>st</sup> and June 1 <sup>st</sup>	
Shift One	Shift Two
8:00am – 12:00 pm	12:00 pm– 3:00pm

TOUR GUIDE ORIENTATION

The tour guide orientation is tentatively scheduled for the 28<sup>th</sup> before the opening reception. There are two training sessions scheduled at 5:30pm or 6:00pm to accommodate work schedules. For directions call 1-231-843.6361

The Artrain will be on the Whitehall Industries property off of Madison Street in Ludington, MI.

HOW DO I SIGN-UP TO VOLUNTEER?

Please contact Angela Eagle (LRBOI-PIDept) at [aeagle@lrboi.com](mailto:aeagle@lrboi.com) or 231.398.6840.

Please visit Artrain USA’s website for more information regarding Artrain USA and the exhibition Native Views: Influences of Modern Culture at: [www.artrainusa.org](http://www.artrainusa.org)

Attention All Volunteers!

Are you interested in Art? Sharing? Native American culture?

ARTRAIN USA NEEDS YOU!

Artrain USA is delighted to present to West Central Michigan, *Native Views: Influences of Modern Culture*, a collection of contemporary Native American artworks, for four days in Ludington, MI from May 28<sup>th</sup> through June 1<sup>st</sup>. In order to make this a successful venture, we need help from volunteers! The exhibition *Native Views* focuses on how Native artists are influenced by the popular culture of today and explores the commonalities of Native and non-Native people in North America. Artists featured include Marcus Amerman, Joe Baker, Jesse Hummingbird, Alan Michelson, Melanie Printup Hope, Roxanne Swentzell and Kay Walkingstick. We hope to share this powerful exhibition with the community by opening our doors to school groups, clubs, organizations as well as the general public.

Everywhere Artrain USA stops, we seek volunteers to assist in a variety of ways. The only requirement is a smile! We need volunteers to serve as docents/guides and to day coordinators. You will be working with school-aged children, clubs and groups during the week and/or general public on the weekend. A training session will be provided to familiarize them with the Artrain USA environment and their duties.

DETACH & MAIL, FAX or E-MAIL THIS FORM - TO RESERVE YOUR SHIFT SLOT TO: Angela Eagle, 231.398.6840, fax 231.723.8020 or [aeagle@lrboi.com](mailto:aeagle@lrboi.com) FOR MORE INFORMATION CONTACT Glenn C. Zaring, Public Information Director, 231.398.6872.

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY, ST, ZIP \_\_\_\_\_

E-MAIL&PHONE: \_\_\_\_\_

I WILL VOLUNTEER FOR A SHIFT ON: (circle)

- May 29th SHIFT ONE, or SHIFT TWO
- May 30th SHIFT ONE, or SHIFT TWO
- May 31st SHIFT ONE, or SHIFT TWO
- June 1st SHIFT ONE, or SHIFT TWO

I WILL ATTEND VOLUNTEER TRAINING ON: (circle)

- May 28th at 5:30 p.m. or 6:00 p.m.

PLEASE RETURN BY May 20th, 2005

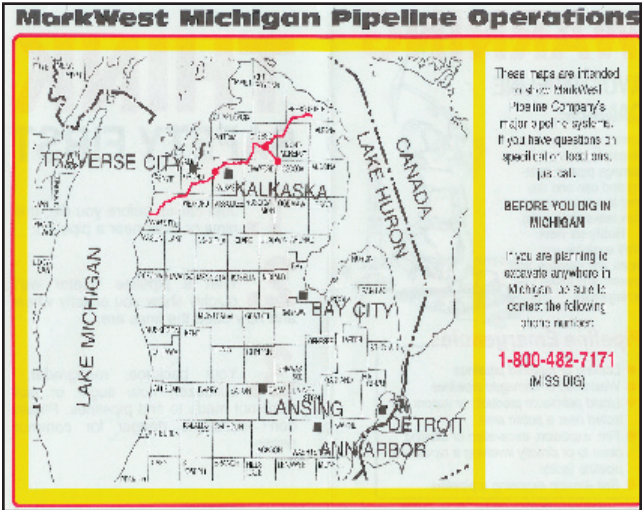
PIPELINE SAFETY

March 22, 2005 Have you ever wondered about those pipelines that cross our land? Wondered what was in them, and maybe in the back of your mind, wondered if they were really safe? Those types of questions also cross the minds of our Public Safety and Emergency Planning groups at the Little River Band of Ottawa Indians. That is why the Public Safety Director Joe LaPorte, Public Safety Officer Vance Bates (Emergency Management Liaison) and Glenn Zaring, Public Information Officer attended a recent “Pipeline Safety” training seminar in Ludington. Markwest Michigan Pipeline Company and MICHCON Public Utility held the conference at the Ludington Ramada Inn for Fire, Police and Emergency Management professionals in the region. Approximately 75 attendees from four different counties were given

information on the whole subject of pipeline safety. The training started off with videos of incidents of pipeline rupture and explosion, some of which were quite devastating and took many lives. The point to all of these was that where proper safety procedures were followed, damages were minimized and destruction was contained. There was an extensive overview of the types of materials that flow through the pipelines as well as characteristics of the materials. Not all behave the same! Some stay low and flow close to the ground; some are vaporized quickly; some actually freeze the ground and kill plants and some actually become undetectable until it is too late. The key to safety is to never take pipeline ruptures lightly and to always call the proper authorities whenever you sus-

pect a pipeline has been damaged. Conference organizers gave several phone numbers including the National One-Call number of 1-888-258-0808 and the Michigan “Miss Dig” line of 1-800-482-7171. Attendees also learned about keeping pipeline easements clear of structures and trees whose roots can compromise the integrity of the pipeline. Roots can actually work their way under the protective coating of the pipes and cause leaks. Part of what the tribal Public Safety and Emergency Management personnel are doing is ascertaining what pipelines and/or storage facilities are in or near tribal lands. Determining this will allow for the creation of ef-

fective Emergency Planning programs to handle problems that might occur within our area. For those who are interested, much of this topic is related to Public Law 103-272 “Excavation Activities Resulting in Pipeline Damage.” Also cited was 49 USC Sec 60123, Title 49 – Transportation, Subtitle VIII – Pipelines, Chapter 601 – Safety.





MEMBERSHIP COLLEGE ENROLLMENT - BEWARE OF DIPLOMA MILLS!!

Last year 180 Tribal members were enrolled in college. That is quite a few when you consider that just 5 years ago the number was less than 30. It is wonderful to see so many Tribal members making use of the programs available to assist them in pursuing college education, and it isn't slowing down! More and more people are considering going to college, and more and more possibilities for them to do so are cropping up.

If you are thinking of college you are probably looking at some of those options- and there are a lot out there. You are a consumer and you are paying for your education. Make sure that you are getting what you pay for. BEWARE of diploma mills! These institutions call themselves universities and colleges and offer degrees that are sometimes not worth the paper they are printed on. Some are not accredited. Others will tell you that they are fully accredited, but they won't tell you that the agency that accredited them is not recognized by the Department of Education or other entities.

Some schools are not known as diploma mills- they are properly accredited and acceptable- but they are extremely expensive. The degrees are accepted, but they are not more highly valued than a public community college degree. They are not worth more, but they cost more- sometimes as much as 50%. And if you are a Tribal member who can make use of the Michigan Indian Tuition Waiver, they cost 100% more! If you find a school you are interested in, check it out. Make sure it is accredited by an acceptable agency. Compare its tuition costs to those of other colleges and universities. Make sure that your investment of time, money and effort is going to pay off.

The state of Michigan provides a listing of colleges and universities that it will not recognize. Prospective employees taking the state Civil Service exams cannot count degrees from these institutions because the State of Michigan does not accept them as "satisfying any educational requirements indicated on job specifications." You can read the list at [www.michigan.gov/documents/Non-accredited-Schools\\_78090\\_7.pdf](http://www.michigan.gov/documents/Non-accredited-Schools_78090_7.pdf) or by searching on the Michigan.gov website. This list also includes un-approved accrediting agencies. If the school is not listed, check the accrediting agency and make sure it is accepted by the Department of Education.

The US Department of Education provides a search page to help students determine whether a college or university is legitimate. [www.ope.ed.gov/accreditation/Search.asp](http://www.ope.ed.gov/accreditation/Search.asp)

This site allows you to enter the name of the college and find out what, if any, nationally or regionally acceptable accrediting agency has offered accreditation to that school. College is a tremendous investment. You will put in a lot of time, effort and money. You want to be sure that you get a fair return. Please take the time to research your choices.

LRBOI Education Department  
Administration Building  
1762 US South 31  
South Manistee, Michigan 49660  
Office Phone: 231-398-6724  
Fax: 231-398-9680

May Tribal Council Meetings		
<ul style="list-style-type: none"><li>May 4, 2005 Tribal Council Meeting (Little River Band of Ottawa Indians) Manistee, Michigan 375 River Street / Bank building- Third floor10AM For further information, please contact Kathleen Block @ 231-398-6845 or kblock@lrboi.com</li></ul>	<ul style="list-style-type: none"><li>May 11, 2005 Tribal Council Meeting (Little River Band of Ottawa Indians) Manistee, Michigan 375 River Street / Bank building- Third floor10AM For further information, please contact Kathleen Block @ 231-398-6845 or kblock@lrboi.com</li><li>May 18, 2005 Tribal Council Meeting (Little River Band of Ottawa Indians) Manistee, Michigan 375 River Street /</li></ul>	<ul style="list-style-type: none"><li>Bank building- Third floor10AM For further information, please contact Kathleen Block @ 231-398-6845 or kblock@lrboi.com</li><li>May 25, 2005 Tribal Council Meeting (Little River Band of Ottawa Indians) Manistee, Michigan 375 River Street / Bank building- Third floor10AM For further information, please contact Kathleen Block @ 231-398-6845</li></ul>

LRBOI Direct Contact Numbers

Ogema's Office	231-398-6824	Prosecuting Attorney	231-398-3384
Tribal Council	231-398-6845	Public Safety	231-398-3413
Elaine Porter	231-398-6833	Tribal Court	231-398-3406
Pat Ruiter	231-398-6831	Peacekeeping	231-398-3397
Pamela Medahko	231-398-6849	Education	231-398-6724
Steve Parsons	231-398-6830	Elders	231-398-6709
Brian Medacco	231-398-6828	Enrollment	231-398-6713
Janine Sam	231-398-6834	Food Commodities	231-398-6715
Tammy Kleeman Brown	231-398-6835	Housing	231-398-6730
Israel Stone	231-398-6807	Human Resources	231-398-6704
Lisa McCatty	231-398-6719	Warriors Society	231-398-6720
Accounting	231-398-6878	Be-Da-Bin	231-398-6604
Economic Development	231-398-6806	CHR Office	231-398-6629
Election Board	231-398-6852	Clinic Operations	231-398-6630
Grants	231-398-6870	Contract Health	800-723.8299
Legal	231-398-6822	Family Services	231-398-6621
Member's Assistance	231-398-6731	Natural Resources	231-723-1594
Planning	231-398-6810	Gaming Commission	231-723-7755
Public Information	231-398-6840	Toll Free	888-723-8288
Reception	888-723-8288	Health Toll Free	888-382-8299
Language	231-398-9378	Little River Casino Resort	888-568-2244
Language Hotline	877-789-0993		



COMMISSION, COMMITTEE AND BOARD STIPEND PAYMENTS COLLECTED  
FOR FISCAL YEAR 2005 IN ACCORDANCE WITH RESOLUTION #03-0813-248

1. Commissions are created to regulate and manage within a subject matter or activity.

a. *Membership.* A commission has at least five commissioners who shall be appointed by the Ogema and approved by the Tribal Council.

b. *Authority.* A commission shall be granted sufficient legislative authority to allow the commission to create regulations to govern in the subject matter jurisdiction.

Commissions are created by adoption of an Ordinance which sets forth the legislative requirements, direction, limitations, restrictions or other directions regarding a subject matter. Upon adoption of an Ordinance, the commissioners shall be identified and directed to develop and present by-laws.

The Tribal Council shall establish Tribal Committees, as needed, in areas of governance and development. The Committees shall be composed of Tribal members and other interested persons who shall meet and discuss specific issues in order to provide information to the Tribal Council so that the Council can make better informed decisions that affect the Tribal community. In furtherance of this purpose, this Policy will provide rules for the organization, functions, responsibilities, and requirements of Tribal Committees.
2. Commission/Committee Schedules:

Commissions:

Binojeeuk Commission:  
10:00 a.m. 2nd and 4th Mondays – Newland Academy

Enrollment Commission:  
12:00 p.m. Mondays and 5:30 p.m., Thursdays  
- Community Center

Gaming Commission:  
5:30 p.m. Tuesdays – Gaming Commission Office

Housing Commission:  
11:00 a.m. Thursdays – Housing Office

Natural Resource Commission:  
5:30 p.m., Wednesdays – Gaming Commission Office

Committees:

Cultural Preservation  
3:30 p.m., Tuesdays – Downtown Office

Elders  
12:00 noon, 1st Saturday of each month  
- Community Center

\* Special or Emergency Meetings do not appear but may be scheduled.
3. Commissioners receive \$100.00 per meeting and committee members receive \$50.00 per meeting.

COMMISSION/COMMITTEE STIPENDS PAID  
JANUARY 1, 2005 TO MARCH 31, 2005

Cultural Preservation Committee

Tribal Council Liaisons – Israel Stone	
Stella Gibson	\$300
Melissa Zelenak	\$400
Jerry Ramsey	\$400
Mary Thomas	\$ 50
Steve Lewis	\$100
*Liaison attended 1 out of 8 meetings	

Binojeeuk Commission

Tribal Council Liaison – Lisa McCatty	
Bill Memberto	\$500
Joan Spalding	\$700
Kimberly Alexander	\$700
*Liaison attended 5 out of 7 meetings	

Enrollment Commission

Tribal Council Liaison – Janine M. Sam	
Katie Glocheski	\$2200
Diana O’Neil	\$2000
Matthew Stratton	\$600
Ben Hamilton	\$500
Roger Sprague	\$2200
Margery Lutz	\$2100
Norbert Kelsey	\$2000
Don Stone	\$300
*Liaison attended 1 out of 22 meetings	

Natural Resource Commission

Tribal Council Liaison – Pat Ruiter	
Mick Moore	\$1400
Jimmie Mitchell	\$1600
Mike Ceplina	\$1400
Virgil Johnson	\$1300
*Liaison attended 0 out of 16 meetings	

Elders Committee

Tribal Council Liaison - Elaine Porter	
Alyce Glitz	\$100
Margery Lutz	\$150
Loretta Beccaria	\$100
Judy Nedeau	\$50
Donna Vanderkooi	\$150
Joe Kelsey	\$100
* Liaison attended 3 out of 3 meetings	

Gaming Commission

Tribal Council Liaison – Lisa McCatty	
Lee Ivinson	\$1900
Joan Spalding	\$1900
Josh Stone	\$1600
*Liaison attended 0 out of 19 meetings	

Housing Commission

Tribal Council Liaison – Steve Parsons	
John Ross	\$900
Dan Shepard	\$700
Frank Beaver	\$200
Carol Bennett	\$700
Alfred Medacco	\$800
Sherman Moore	\$100
*Liaison attended 2 out of 9 meetings	

CULTURAL MENTORING  
The Cultural Preservation Committee is looking for young people interested in mentoring with adults during Little River Band of Ottawa Indians' Jiingtamok activities. Youth will learn first hand what being an arena director, an emcee, head dancer, drummer, etc. is all about. If interested or for more information, please email [cpc@lrboi.com](mailto:cpc@lrboi.com) or contact the Tribal Historic Preservation office at 1-888-723-8288 or 231-398-9363.

THE CULTURAL PRESERVATION COMMITTEE IS LOOKING FOR...  
Do you have an iron, ironing board or sewing machine you are looking to get rid of? The Cultural Preservation Committee is seeking donations of irons, ironing boards and sewing machines that are in good or 'gently used' condition and will work without needing any repairs. All donations will be used by Tribal members during Regalia Class each year and will be greatly appreciated. If you'd like to make a donation, please email [cpc@lrboi.com](mailto:cpc@lrboi.com) or call 231-398-9363 or toll-free at 1-888-723-8288. Miigwech!



# FY 2005 Budget

Fund/Program	2005 Proposed	Tribal Funds	Grant Funds	Other Funds
Council Operations				
Tribal Council	1,576,091	1,543,491		32,600
Legal	2,144,356	2,144,356		
Sub-total:	3,720,447	3,687,847	0	32,600

Admin. Support				
Tribal Ogema	1,056,529	1,056,529		
Prosecutor	201,208	201,208		
Property Management	155,000	155,000		
Elders	79,623	79,623		
Health Clinic Building	88,950	263,987	411,783	
Admin. Building	91,550			
Community Center	70,050			
East Lake Building	88,950			
Bank Building	224,020			
Newland Building	112,250			
Tribal Administration	0	1,946,310	761,342	
Accounting	1,608,960			
Human Resources	190,655			
Professional Development	0			
MIS	247,331			
Facilities	660,706			
Utility Department	363,397	241,397		122,000
Merit/COLA Pool	398,527	398,527		
Legal Assistance	110,364	110,364		
Sub-total:	5,748,070	4,452,945	1,173,125	122,000

Judicial				
Tribal Court	507,648	507,648		
Sub-total:	507,648	507,648	0	0

Health				
Contract Health	2,015,611	1,365,718	649,893	
Clinic Operations	1,117,200	431,770	536,430	149,000
Behavioral Health	484,934	453,044	31,890	
Special Diabetes 2004	69,330		69,330	
Sub-total:	3,687,075	2,250,532	1,287,543	149,000

Capital Projects				
Capital Outlay	3,150,000	3,150,000		
ICDBG Water Storage	500,000		500,000	
Sub-total:	3,650,000	3,150,000	500,000	0

Fund/Program	2005 Proposed	Tribal Funds	Grant Funds	Other Funds
Member Services				
Leadership Intern	0	0		
Family Violence 2004	24,710		24,710	
Bereavement Program	150,000	150,000		
Members Assistance	3,020,853	3,020,853		
Language Camp	29,600	29,600		
Anishinaabemdaa	153,260	153,260		
Enrollment	169,963	169,963		
Public Information Office	229,364	229,364		
Family Services	773,128	479,237	293,891	
Education	811,136	714,356	96,780	
IHS Well & Septic	51,841		51,841	
Food Commodities	48,069	48,069		
Family Violence 2003	25,731		25,731	
LIHEAP 2004	15,292		15,292	
Sub-total:	5,502,947	4,994,702	508,245	0

Regulatory				
Election Board	105,526	105,526		
Surveillance	1,437,359			1,437,359
Gaming Compliance	513,770			513,770
Gaming Commission	880,247			880,247
Lake Sturgeon Rehab.	60,581	60,581		
Natural Resources	731,760	478,339	253,421	
Great Lakes Assessment	453,315	206,065	247,250	
EPA 106 Grant	186,907	6,508	180,399	
EPA GAP Grant 2005	220,000		220,000	
Circle of Flight	20,000		20,000	
Ombudsman	68,047	68,047		
Sub-total:	4,677,512	925,066	921,070	2,831,376

Public Safety				
Public Safety	1,177,732	487,144	354,564	336,024
Great Lakes Enforcement	498,182	250,932	247,250	
BJA Bulletproof Vests	2,621		2,621	
Inland Enforcement	380,777	380,777		
COPS T/R 2003	68,115	68,115		
COPS T/R 2002	57,576	29,609	27,967	
COPS T/R 2004	201,710	50,427	151,283	
Sub-total:	2,386,713	1,267,004	783,685	336,024

Fund/Program	2005 Proposed	Tribal Funds	Grant Funds	Other Funds
Planning				
Planning	161,555	161,555		
Economic Development	0	0		
Tribal Historic Preservation	313,704	313,704		
Grants	244,011	244,011		
Watershed Initiative	405,873		405,873	
USFWS Bobcat Study	65,603	189	65,414	
Grant Match	400,000	400,000		
Lake Sturgeon Study	144,393		144,393	
Brownfields Grant	32,724		32,724	
Tribal Response 2003	125,828		125,828	
Tribal Response 2004	126,537		126,537	
Sub-total:	2,020,228	1,119,459	900,769	0

Housing				
Housing Administration	549,249	549,249		
IHBG2003	372,317		372,317	
IHBG2002	368,791		368,791	
IHBG2001	350,765		350,765	
IHBG2000	273,010		273,010	
ICDBG Rural Housing	159,415	159,415		
IHBG 2004	377,913		377,913	
Sub-total:	2,451,460	708,664	1,742,796	0

Debt Service				
Debt Service	0	0		
Sub-total:	0	0	0	0

Total:	\$34,352,100	\$23,063,867	\$7,817,233	\$3,471,000
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## Approved FY2005 Budget

On December 15, 2004, the Tribal Council approved the FY2005 Tribal Government Operations Budget with a number of amendments and placed specific restrictions on certain allocations within department budgets pending the receipt of detailed justification for those expenditures. The Ogema’s office prepared and submitted an amended budget document to the Tribal Council, which included the requested detailed justification for those restricted program allocations.

On February 2, 2005, the Tribal Council formally accepted the amended budget document submitted by the Ogema’s office, and released the restrictions placed on certain departmental budgets.

The Tribal Ogema has determined that providing this budgetary information is critical in keeping the Tribal membership informed as to the fiscal matters of the Tribe, to the extent possible. The Source of Funds Summary demonstrates the estimated breakdown of anticipated funding by program (i.e. tribal, grant, other). Also included is a Combined Division Summary, which is a more detailed breakdown of estimated expenditures by functional category. In total, the approved FY2005 Budget was a reduction of \$3,046,964 (8.1%) from the FY2004 approved budget.

The Little River Currents is re-publishing this section due to a mistake in last month’s paper. Some data was omitted while some was repeated.

We apologize for the inconvenience

Migwetch,

Emily C. Drouin  
Public Information Specialist  
231-398-6864



## JACOB P. WABINDATO



Our third veteran to be interviewed is Jacob P. Wabindato. Jacob, better known as Jake, was born in Custer, Mi. to the

Peter Wabindato family on May 20, 1923. He is one of six children, having four brothers and one sister. Jake is the father of three sons and two daughters. He also has numerous nieces, nephews and grandchildren. Jake is one of only five WWII veterans in our tribe. He was in the U.S. Army, 580 Second Signal Aircraft. Being in the signal corps, he was constantly deployed on the front lines. He was in five battles and two of the most noteworthy are the battle of Casino and the Battle of the Bulge. Jake has seen action in France, Italy, and Germany. Looking back over his experiences, he considers himself lucky and very fortunate to have survived to come home. On the way to Europe, Jake remembers being on a Liberty

Ship, which had bunks in rows and was five bunks high. But he said that he was lucky to have had a bottom bunk but there was about ten inches of water on the floor so they had to stay in their bunks most of the time. "Lots of us were sick from all the tossing and pitching of the ship," states Jake. When they finally got to Europe, all the ships were in a line as they were entering the harbor and one destroyer was in between each Liberty ship and so on down the line. A German submarine was said to be in the area but the planes that were looking for it couldn't spot it. Two ships behind the one Jake was on got torpedoed. Listening to Jake speak of his experiences during the war makes a person understand

that "Freedom isn't, and never has been free." Jake is retired from Consumers Power Company, where he worked for thirty years. He worked around Northern Michigan and now resides in Muskegon, Mi. He said that he is enjoying retirement by hunting, fishing, and bowling which he does at least once a week as he is in a league. Jake has served on the Elders committee, the election board and is on the committee of the Warrior Society. He was one of the first to belong to the Warrior Society. Jake is a quiet, unassuming man and when he says he is proud to have served his country, you know he is speaking from the heart.

## Remembering the Past....

Submitted by Valerie Chandler, Tribal Historic Preservation Coordinator

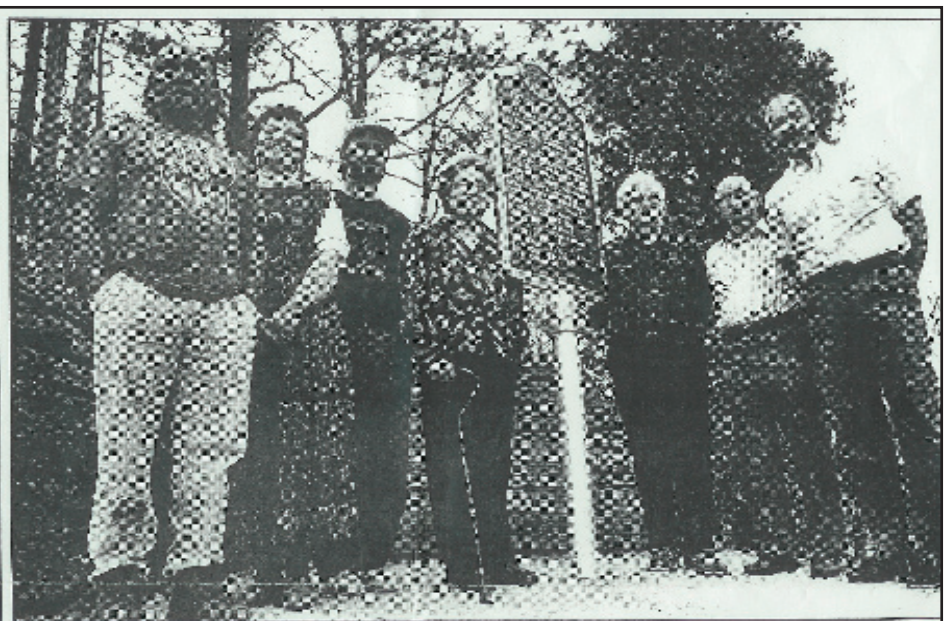
### "Indian Battle Site Gets Recognition"

By Leigh A. Olkowski, Daily News Staff Writer

(Re-printed from the Ludington Daily News, April 25, 1994)

Custer – The ceremony to bless the site of the oral legend of the Ottawa/Mascouten Indian battle is a step in the right direction. "It's nice to be able to have a bit of recognition from the non-Indian community," Ron Wemigwase, a pipe carrier from the Little Traverse Bay Band of Ottawa Indians, who performed the blessing. "That's a step in the right direction where two communities can work together." The site, just south of Custer Road bridge, is named Notipekago or "place of skulls." A Michigan Historical marker making that official was erected Sunday. Almost 100 people watched as Wemigwase offered tobacco to the grandfathers during his silent blessing. With the help of Mark Dougher of the Little River Band of Ottawa Indians of Manistee, cedar water was offered in seven directions to Mother Earth and the spirits. Wemigwase left a cedar branch at the site as his way of "acknowledging the ancestors that have passed on." "I'd like to ask as you pass by, pick up anything lying around this sacred ground," he said. "Keep it clean and show respect for the people who died here. With that I say me-gwetch (thank you)." After the ceremony Wemigwase, who earned the

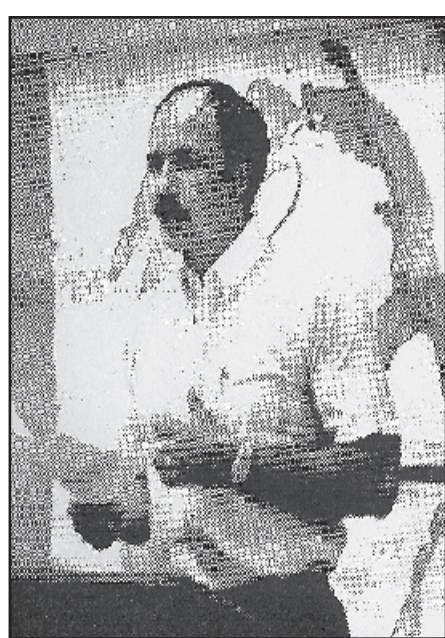
honor of pipe carrier seven years ago, said he was honored to be able to do the blessing. "It's becoming more evident non-Indians are believing the oral history of the Indian communities," he said. "There's so much racism and prejudice that surrounds Indians." After the blessing, an awards ceremony was held at Mason County Eastern Elementary School. Jim Riffle, Custer Township supervisor, accepted a special award on the township's behalf for paying for the marker and allowing it to be erected. "I think it's something special to have this happen," he said. "This was in the works for three years. It's been a long process." Margaret Chandler, Ottawa Indian tribal elder, also received a special award. Robert Adams, who researched the battle with Orval Smith of Custer Township, was the speaker for the afternoon. With the aid of a map depicting how the battle moved down from Cross Village, Adams told the group about much of the history and his findings while researching the Ottawa/Mascouten battle. "This is the most consistently remembered battle in oral history," he said. "Much of the history is gone because white people wouldn't listen.



**Honoring the Dead** – On Sunday, Ron Wemigwase, pipe carrier Little Traverse Bay Band of Harbor Springs; Bonnie Kenny, vice-chair of the tribal counsel of the Little River Band of Manistee; Mark Dougher, Little River Band of Manistee; Margaret Chandler, tribal elder; Robert Adams of Manistee, who researched the oral history; Orval Smith of Custer Township, who came up with the idea for the historical marker, and Larry Crawford, trustee Custer Township Board, were on hand for the blessing of the Ottawa/Mascouten Indian battle site.

After 16 years, you'll get the recognition you people deserve." The historical marker, Adams said, is the first in Michigan to state that Indians were here before Europeans. "For years and years you got what was left over," he said. "In this case the state gave you the official recognition. It says you've been here since 1600 and it also says you're still here."

**Larry Crawford** – Custer Township board trustee, presented several special awards during a ceremony after the blessing at Mason County Eastern Elementary.







[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



CONSTITUTION OF THE LITTLE RIVER BAND OF OTTAWA  
PREAMBLE

We, the Little River Ottawa people have asserted our sovereignty throughout history including in the Treaty of Chicago [August 29, 1821; 7 Stat 218], the Treaty of Washington [March28, 1836; 7 Stat 491], and the Treaty of Detroit [July 31, 1855; 11 Stat 621]. Between the last treaty and the present day, the Grand River Ottawa people who became the Little River Band of Ottawa Indians were known and organized under several names, including members of “Indian Village” on the Manistee River, residents of the Pere Marquette Village or “Indian Town”, Unit No. 7 of the Northern Michigan Ottawa Association, the Thornapple River Band, and finally the Little River Band of Ottawa Indians. On September 21, 1994, Public Law 103-324 (108 Stat 2156) was enacted, reaffirming federal recognition of and confirming the sovereignty of the Grand River Bands comprising the Little River Band of Ottawa Indians (referred to as the Tribe or Little River Band). As an exercise of our sovereign powers, in order to organize for our common good, to govern ourselves under our own laws, to maintain and foster our tribal culture, provide for the welfare and prosperity of our people, and to protect our homeland we adopt this constitution, in accordance with the Indian Reorganization Act of June 18, 1934, as amended, as the Little River Band of Ottawa Indians.

ARTICLE I. TERRITORY  
Section 1 – *Territory*. The territory of the Little River Band of Ottawa Indians shall encompass all lands which are now or hereinafter owned by or reserved for the Tribe, including the Manistee Reservation in Manistee County (Michigan), Custer and Eden Townships in Mason County (Michigan) and all lands which are now or at a later date owned by the Tribe or held in trust for the Tribe or any member of the Tribe by the United States of America.  
Section 2 - *Jurisdiction Distinguished From Territory*. The Tribe’s jurisdiction over its members and territory shall be exercised to the fullest extent consistent with this Constitution, the sovereign powers of the Tribe, and federal law.

ARTICLE II – MEMBERSHIP  
Section 1 - *Eligibility for Membership*. An individual is eligible for membership in the Tribe, if he/she possesses at least one-fourth (1/4) degree Indian blood, of which at least one-eighth (1/8) degree must be Grand River Ottawa or Michigan Ottawa blood and:  
(a) Is a lineal descendant of a member of the historic Grand River Bands who resided in Manistee, Mason, Wexford or Lake Counties in the State of Michigan, who was listed on the schedule of Grand River Ottawa in the Durant Roll of 1908 as approved by the Secretary of the Interior on February 18, 1910; or,  
(b) Is a lineal descendant of individuals listed on the 1870 Annuity Payrolls of Chippewas and Ottawas of Michigan listed under the following Ottawa Chiefs: Kewacushkum Pay-quo-tush Me-tay-wis Shaw-be-quo-ung Penayse Kaw-gay-gaw-bowe Maw-gaw-ne-quong Ching-gawa-she Aken Bell; and,  
(c) Is not currently enrolled in any other federally recognized Indian Tribe, band, or group.  
Section 2 – *Membership Rights of Children Who Have Been Adopted*. Any child who is less than 18 years of age, who meets the membership criteria in Section 1, shall be eligible for membership, notwithstanding such adoption.  
Section 3 - *Dual Membership Prohibition*. Any member of the Little River Band who applies for and is accepted as a member of another federally recognized Indian Tribe or band shall be subject to disenrollment in accordance with Section 4 of this Article.  
Section 4 - *Membership Procedure*. The Tribal Council shall establish ordinances governing membership, including but not limited to enrollment and disenrollment; Provided that the Tribal Council shall not have the power to change or establish substantive requirements for membership in addition to those established in this Article.  
Section 5 - *Right of Appeal*. Any person whose application for membership has been denied, or any member who has been disenrolled, shall have the right to appeal to the Tribal Court.

ARTICLE III - CONSTITUTIONAL RIGHTS  
Section 1 - *Civil Rights*. The Little River Band in exercising the powers of self-government shall not:  
(a) Make or enforce any law prohibiting the free exercise of religion, or abridging the freedom of speech, or of the press, or of the right of the people peaceably to assemble and to petition for a redress of grievances;  
(b) Violate the right of the people to be secure in their persons, houses, papers, and effects against unreasonable search and seizures, nor issue warrants, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or thing to be seized;  
(c) Subject any person for the same offense to be twice put in jeopardy;  
(d) Compel any person in any criminal case to be a witness against himself;  
(e) Take any private property for a public use without just compensation;  
(f) Deny to any person in a criminal proceeding the right to a speedy and public trial, to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and at his own expense to have the assistance of counsel for his defense;  
(g) Require excessive bail, impose excessive fines, inflict cruel and unusual punishments, and in no event impose for conviction of any one offense any penalty or punishment greater than imprisonment for a term of one year or a fine of five thousand dollars (\$5000.00), or both, or the maximum penalty allowed under Federal law;  
(h) Deny to any person within its jurisdiction the equal protection of its laws or deprive any person of liberty or property without due process of law;  
(i) Pass any legislation, directed against a designated person, pronouncing him/her guilty of an alleged crime, without trial or conviction or ex post facto law, which retroactively changes the legality or consequences of a fact or action after the occurrence of that fact or commission of the act;  
(j) Deny to any person accused of an offense punishable by imprisonment the right, upon request, to a trial by jury of not less than six (6) persons;  
(k) Make or enforce any law unreasonably infringing the right of tribal members to keep and bear arms; or  
(l) The enumeration of rights in this Constitution shall not be construed to deny or disparage other rights retained by tribal members.  
Section 2 - *Access to Tribal Records*. Subject to any express limitations contained in this Constitution, the laws of the United States, and individual Tribal members’ and Tribal employees’ rights to privacy, members of the Tribe shall be provided access to review the records of Tribe including, but not limited to: minutes of all meetings of the Tribal Council or other subdivisions of the Tribal government, Tribal budgets and financial reports of Tribal expenditures; provided that such review shall be conducted during normal office hours.

ARTICLE IV - TRIBAL COUNCIL  
Section 1 - *The legislative powers of the Little River Band shall be invested in the Tribal Council*.  
Section 2 - *Composition of the Tribal Council*.  
(a) The Tribal Council shall consist of nine (9) persons, elected by popular vote of the registered voters of the Tribe in the manner described in this Section and Article IX.  
(b) Tribal Council positions shall be elected by the membership from the following districts:  
1. Six (6) of the nine (9) members of the Tribal Council shall be elected by the registered voters of the Tribe who reside in the following Counties in the State of Michigan: Kent, Lake, Manistee, Mason, Muskegon, Newago, Oceana, Ottawa and Wexford;  
2. Two (2) of the nine (9) members of the Tribal Council shall be elected by all of the registered voters of the Tribe;  
3. One (1) of the nine (9) members of the Tribal Council shall be elected by those registered voters of the Tribe residing outside the nine (9) county district defined in subsection 2(b)(1) of this Section.  
(c) The Council shall select two (2) Council members, by majority vote of the Council, to serve as Council Officers: Speaker and Recorder. Officers terms shall be two years. A single Council member may not hold both Officer positions.  
Section 3 - *Qualifications*. Any member of the Tribe who is twenty-one (21) years of age or older who has resided within the State of Michigan for at least six (6) months prior to the date of the next scheduled election may serve on the Tribal Council.  
Section 4 - *Terms of Office*.  
(a) Except as provided for in Section 1 of Article IX in this Constitution each Tribal Council member’s term of office shall be four (4) years.  
(b) Tribal Council members shall continue in office until their successors are sworn in by the Tribal Court, their office is deemed vacant, or they are removed from the Tribal Council.  
(c) If any Tribal Council member ceases to be a member of the Tribe, he or she shall automatically forfeit his or her Council position.  
(d) If any Tribal Council member ceases to be a resident of the State of Michigan, he or she shall automatically forfeit his or her Council position.  
(e) There shall be no prohibition against continuous service.  
Section 5 - *Council Officers Duties*.  
(a) Speaker. The Speaker of the Council shall:  
1. Preside at all meetings of the Tribal Council.  
2. Call special meetings of the Council, when appropriate.  
3. Receive reports from the committees or commissions and deliver such reports to the Council.  
4. Perform the duties of the Tribal Ogema in the absence of or due to the inability of the Ogema to perform those duties.  
(b) Recorder. The Recorder of the Council shall:  
1. Submit a record of the minutes of all Tribal Council meetings, and make such reports available to the membership of the Tribe.  
2. Keep the Members informed as to the status of the activities of the Council and all other matters affecting the Tribe and its members.  
3. Maintain and protect the Tribal Seal.  
4. Perform the duties of the Speaker if the Speaker is absent or unable to fulfill those duties.  
Section 6 - *Meetings of the Tribal Council*.  
(a) Regular Meetings. The Tribal Council shall meet in regular session at least once every month at a time and place to be set by the Tribal Council. The schedule of meetings for regular sessions of the Tribal Council for the next calendar year shall be set by resolution of the Tribal Council at the last regular session of each calendar year. The meeting schedule for each calendar year shall be published and made available to the General Membership.  
(b) Special Meetings. A special meeting of the Tribal Council may be held under the following conditions:  
1. A special meeting shall be called (i) upon written request of the Tribal Ogema submitted to the Council Recorder, (ii) upon written request, submitted to the Tribal Ogema or Council Recorder, by two (2) members of the Tribal Council, (iii) upon written request, submitted to the Tribal Ogema or Council Recorder, signed by at least ten percent (10%) of the Tribal Elders, fifty-five (55) years or older; or (iv) upon a petition of ten percent (10%) of the registered Tribal voters requesting a meeting submitted to the Tribal Ogema or Council Recorder.  
2. There shall be at least seventy-two (72) hours written notice sent to the Council members at each member’s designated regular mailing address. Notice shall also be posted in the Tribal Office or Governmental Center. No business may be transacted if proper notices have not been mailed and posted. The notice shall specify all business to be addressed, and no matter which is not included in the notice may be addressed at the meeting.  
(c) Emergency Meetings. Emergency meetings of the Tribal Council may be called by the Tribal Ogema or Speaker upon less than seventy-two (72) hours written notice, if such meetings are necessary for the preservation or protection of the health, welfare, peace, safety or property of the Tribe. Efforts shall be made to ensure that each Tribal Council member receives notice of such meetings. Where practical, notice shall be posted at the Tribal Office or Governmental Center. Notices shall state the purpose, time and place of the meeting. No business other than that stated in the notice shall be transacted at such meetings.  
(d) Open Meetings; Closed Sessions. All meetings of the Tribal Council shall be open to the Tribal Membership. However, the Council may meet in closed session for the following purposes:  
1. Personnel Matters, provided the employee in question did not request a public meeting, or  
2. Business matters involving consideration of bids or contracts which are privileged or confidential, or  
3. Claims by and against the Tribe.  
Minutes shall be maintained relating to all business conducted in open or closed session. The general reason for a determination to meet in closed session shall placed on the record in open session. The minutes of business conducted in closed session shall be maintained in a closed file in perpetuity; however, such minutes of closed sessions may be opened to the public upon a vote of the majority of the Tribal Council, upon final disposition of the matter concerned or upon order of the Tribal Judiciary. Upon conclusion of a closed session, announcement of the resumption of open session shall be made before adjournment.  
(e) Rules of the Tribal Council. The Tribal Council shall determine its own rules of procedure for meetings of the Tribal Council, subject to any limitations imposed in this Constitution. Such rules and procedures shall provide for an opportunity for the General Membership to be heard on any question under consideration by the Tribal Council.



(f) Quorum required to conduct business.

1. A quorum of the Tribal Council shall consist of six (6) members, provided at least four (4) of the six (6) members present represent the nine (9) county district defined in subsection 2(b)(1) of Article IV.

2. When a Council Member has a personal interest in an issue or matter to be voted on by the Council, other than those common to all Tribal Members, which would require balancing personal interest against interests of the Tribe, such member shall abstain from voting on that matter due to conflict of interest and shall disclose the nature of the conflict.

3. The fact that a member may not vote on an issue due to conflict of interest shall not prevent that member from voting on other matters or from determining a quorum’s existence.

4. Failure to disclose a potential conflict of interest is cause for removal, and where a matter of potential conflict has been disclosed, the Council shall determine by majority vote whether a member shall abstain from voting, although no member shall be compelled to vote regarding an issue as to which he or she believes a conflict exists.

(g) Action by the Tribal Council.

1. The Tribal Council shall act only by ordinance, resolution or motion.

2. Tribal Council action shall be determined by a majority of the quorum present and voting at the meeting, unless otherwise specified in this Constitution, and minutes shall identify each Council Member’s vote on every issue.

Section 7 - Powers of the Tribal Council. The legislative powers of the Little River Band of Ottawa Indians shall be vested in the Tribal Council, subject to any express limitations contained in this Constitution. The Tribal Council shall have the power, including by way of illustration, but not by limitation:

(a) To exercise the inherent powers of the Little River Band by establishing laws through the enactment of ordinances and adoption of resolutions not inconsistent with this Constitution:

1. to govern the conduct of members of the Little River Band and other persons within its jurisdiction;

2. to promote, protect and provide for public health, peace, morals, education and general welfare of the Little River Band and its members;

3. to provide by ordinance for the jurisdiction of the Tribe over Indian Child Welfare matters, and all other domestic relations matters;

4. to provide for the manner of making, holding and revoking assignments of the Little River Band’s land or interests therein;

(b) To authorize and ratify agreements and contracts negotiated by the Tribal Ogema on behalf of the Little River Band with federal, state and local governments and other Indian tribes or their departments or political subdivisions, or with private persons on all matters within the authority of the Tribal Council;

(c) To purchase, lease, take by gift, take by devise or bequest, or otherwise acquire land, interests in land, personal property or other assets which may be deemed beneficial to the Little River Band;

(d) To approve or veto any sale, disposition, lease or encumbrance of Little River Band land, interests in land, personal property or other assets;

(e) To employ legal counsel, subject to the approval of the Secretary of the Interior so long as such approval is required by Federal law;

(f) To create by ordinance regulatory commissions or subordinate organizations and to delegate to such organizations the power to manage the affairs and enterprises of the Little River Band, provided that no such commission or subordinate organization shall exercise powers of the Tribal Council unless they are expressly delegated by the Tribal Council;

(g) To establish rules and procedures to regulate all meetings of the Tribal Council, standing committees, special committees and such other regulatory commissions or subordinate organizations created by ordinance;

(h) To approve appointments to the Tribal Court, regulatory commissions and heads of subordinate organizations created by ordinance;

(i) To exercise the following fiscal powers:

1. Subject to the veto of the Tribal Ogema, to adopt, approve or amend the annual budget presented by the Tribal Ogema and to authorize the expenditure of funds in accordance with such budgets;

2. To manage any funds within the exclusive control of the Little River Band and to appropriate these funds for the benefit of the Tribe and its members. All expenditures of funds shall be pursuant to appropriations or budgets authorized by resolution or in accordance with ordinances of the Tribal Council;

3. To levy duties, fees, taxes and assessments on any person, natural or corporate, residing or doing business within the territorial jurisdiction of the Little River Band;

4. To borrow money or to issue temporary or long term evidence of indebtedness for public purposes and to secure the repayment thereof;

(j) To take action, not inconsistent with this Constitution or Federal law, which shall be necessary and proper to carry out the sovereign legislative powers of the Tribe.

Section 10 - Tribal Powers and Rights Not Limited.

(a) Any rights and powers heretofore vested in the Little River Band but not expressly referred to in this Constitution shall not be diminished, abridged, or divested by this Article.

(b) The Tribal Council may exercise such additional powers as may be conferred upon the Tribe in the future by law, by the Secretary of the Interior, or by any other duly authorized official or agency of the federal government, state or local government, or by another Indian tribe.

ARTICLE V - TRIBAL OGEMA

Section 1 - The Executive powers of the Little River Band shall be invested in the Tribal Ogema.

Section 2 - Qualifications. Any member of the Tribe who is twenty-five (25) years of age or older, who has resided within the nine (9) county district defined in subsection 2(b)(1) of Article IV, for at least six (6) months prior to the date of the next scheduled election may serve as Tribal Ogema.

Section 3 - Term of Office.

(a) The Tribal Ogema’s term of office shall be four (4) years.

(b) The Tribal Ogema will continue in office until his/her successor is sworn in by the Tribal Court, the office is deemed vacant, or he/she is removed as the Tribal Ogema.

(c) If the Ogema ceases to be a member of the Tribe, he/she will automatically forfeit the Ogema position.

(d) If the Ogema ceases to reside in the nine (9) county district defined in subsection 2(b)(1) of Article IV, he/she will automatically forfeit the Ogema position.

(e) There shall be no prohibition against continuous service.

Section 4 - Election of the Tribal Ogema. The Tribal Ogema shall be the candidate seeking the office who receives a majority of the tribal vote cast for that position. If no one (1) candidate receives a majority of the votes cast, a run-off election shall be held between the two (2) highest vote recipients.

Section 5 - Powers of the Ogema.

(a) Subject to any limitations contained in this Constitution, the Tribal Ogema of the Little River Band shall be invested with the executive powers of its inherent sovereignty including, but not limited to:

1. To enforce and execute the laws, ordinances and resolutions of the Tribal Council, consistent with this Constitution.

2. To oversee the administration and management of the Tribal government in accordance with the laws, resolutions, and motions adopted by the Tribal Council.

3. To consult, negotiate, and execute agreements and contracts on behalf of the Little River Band with federal, state, and local governments and other tribal governments, or with private persons or organizations. Agreements and contracts reached must be approved or ratified by Tribal Council to be effective.

4. With the approval of the Tribal Council, to appoint members to the Tribal Court, members of all regulatory commissions, and heads of subordinate organizations created by ordinance (Art. IV, Sec. 9(h)).

5. Timely prepare and present the annual Tribal Budget to the Tribal Council for approval or other action and to keep the Tribal Council fully advised as to the financial condition and needs of the Tribe, preparing monthly reports for the Council, and making quarterly reports available to the membership.

6. To have veto power over actions of the Tribal Council modifying the Tribal Budget or appropriations items as provided in subsection (c) of this Section 5.

7. To collect taxes or assessments against members, non-members and businesses.

8. To manage the economic affairs, enterprises, property (both real and personal) and other interests of the Tribe, consistent with ordinances and resolutions enacted by the Tribal Council.

9. To exclude from the lands of the Tribe persons, or other entities, not legally entitled to be present thereon.

(b) The Tribal Ogema shall receive for his/her services a compensation to be established by the Tribal Council, which shall not be diminished during his/her continuance in office.

(c) Every action taken by the Tribal Council, whether by ordinance, resolution or appropriation, which modifies the Tribal Budget submitted for approval by the Tribal Ogema, shall be presented to the Tribal Ogema for his/her approval and signature before it becomes effective. The Tribal Ogema shall approve or disapprove of the action taken by the Tribal Council within seven (7) days after the item is submitted to the Tribal Ogema by the Tribal Council. If he/she disapproves of the action taken by the Tribal Council, he shall return it to the Tribal Council within the seven (7) days provided, specifying his/her objections. If after re-consideration, it again passes the Tribal Council by an affirmative vote of six (6) of the nine (9) Tribal Council members, it shall become law and he/she shall sign it notwithstanding his/her objections.

ARTICLE VI - TRIBAL COURT

Section 1 - The judicial power of the Little River Band shall be invested in a Tribal judiciary, which shall consist of the Tribal Court, a Court of Appeals, and such inferior courts as the Tribal Council may from time to time ordain and establish.

Section 2 - Qualifications.

(a) Member of the Tribe. Any member of Tribe may serve as a Tribal Judge provided he/she is twenty-five (25) years of age or older, is not a member of the Tribal Council or running for a seat on the Tribal Council, and has not been convicted of any crime of dishonesty, or moral turpitude, nor been convicted of a felony under Tribal, or State law within the seven (7) year period immediately preceding the date of the election, or, in the event of a vacancy under Article X, Section 4(a), his/her appointment.

(b) Non-Member Qualifications. A non-member of the Tribe may be appointed to or elected to serve as a Tribal judge if such individual possesses a Law degree and has practiced in Federal Indian law or as a tribal judge, and has not been convicted of any crime involving dishonesty, moral turpitude, nor been convicted of a felony under Federal, Tribal or State law within the seven (7) year period immediately preceding the date of the election, or, in the event of a vacancy under Article X, Section 4(a), his/her appointment.

Section 3 - Composition of the Tribal Court System.

(a) Tribal Court. The Tribal Court shall be a court of general jurisdiction and shall consist of one (1) judge and one (1) associate judge who shall meet as often as circumstances require.

(b) Court of Appeals. The Tribal Court of Appeals shall consist of three (3) judges. At least one (1) of the three (3) judges shall be an elder (age 55 years or older) in the Tribe, and at least one (1) of the three (3) judges shall be an attorney licensed to practice before the courts of a state in the United States.

Section 4 - Appointment and Compensation.

(a) Judges of the Tribal Court, including the Court of Appeals, shall be elected by the registered voters.

1. Current Judges. The current tribal judges as of adoption of these amendments shall identify the following:

A. Tribal Court judges shall determine staggered terms from amongst themselves and new terms shall be set at either two year or four years. Each term thereafter shall be set as set forth in Section 5(a).

B. Court of Appeals judges shall determine staggered terms from amongst themselves and new terms shall be set at either two years or four years. Each term thereafter shall be as set forth in Section 5(a).

2. Declaration of Tribal Court or Court of Appeals Candidacy. Candidates shall declare their intention to run for a position on the Tribal Court or the Court of Appeals. Provided that, the Election Board shall identify positions on the Court of Appeals requiring specific qualifications as identified in Section 3(b). Where no candidate, at the conclusion of any deadlines set by the Election Board, declares for a position on the Court of Appeals requiring specific qualifications, the Tribal Ogema shall appoint, and the Tribal Council shall approve a judge for that vacancy.

(b) Compensation. The Tribal Council shall have the power to establish the level of compensation for each judge; provided that the compensation due to each individual judge shall not be diminished during the term of his/her appointment.

(c) Tribal Judges shall be sworn in by the Speaker of the Tribal Council.

Section 5 - Term of Office.

(a) Except as provided for in Section 6 of this Article VI, the term of office for all Tribal Judges shall be six (6) years.

(b) Tribal Judges will continue in office until a successor is sworn in.

(c) There shall be no prohibition against continuous service.

Section 6 - Resignation or Removal.

(a) *Resignation.* A Tribal Judge may resign his/her office at any time. Resignation is immediate upon a Judge submitting written notice to the Tribal Council of his/her resignation.

(b) *Removal.* A Tribal Judge may only be removed by a vote of seven (7) of the nine (9) Council Members following a recommendation of removal by a majority of the remaining Tribal Judges for the following reasons:

1. Unethical conduct, as defined by the Michigan Indian Judicial Association Model Code of Tribal Judicial Conduct;

2. Gross misconduct or malfeasance in office that is clearly prejudicial to the administration of justice;

3. Ineligibility, under Section 2 of this Article, to serve as a member of the Tribal Court;

4. Inability to fulfill the duties of the office due to mental or physical disability, to the extent that he or she is incapable of exercising judgment about or attending to the duties of the Tribal Court. Such determination shall be based upon or supported by competent medical evidence or opinion.



If a member of the Tribal judiciary obtains information which indicates that grounds exist for removal of another judge, he/she shall provide written notice of the charge and specify the facts supporting such charge to all Tribal Judges, including the accused. The Judge so charged shall be notified so he/she may answer the charges at a public hearing of all members of the Tribal Court held for that purpose. Such hearing shall be noticed at least ten (10) days prior to the hearing at which the Judge’s referral for removal is to be considered. If a majority of the remaining of the Tribal Court vote to refer the Judge to the Tribal Council for removal, the grounds for removal shall be set forth with specificity and the Tribal Judge shall be suspended from office until the Tribal Council acts on the referral at a public meeting of the Tribal Council held to consider that referral.

At least ten (10) days before the meeting of the Tribal Council at which the vote for removal will be taken, the affected judge shall be provided with a written notice of that meeting. Before any vote for removal is taken, the affected judge shall be provided with a reasonable opportunity to answer the charges at the Tribal Council meeting. If the Tribal Council, by affirmative vote of seven (7) of the nine (9) Council members, finds that grounds for removal as stated by the Tribal Court exist, the Tribal Council shall remove the judge from office. If the Tribal Council find that the grounds for removal do not exist, the suspended judge shall be fully reinstated to the Tribal Court.

Section 7 - Vacancy. A vacancy in any Judicial position resulting from a Judge’s death, resignation, removal, or recall shall be filled in the same manner as set forth in Article X, Section 4. The term of office for any Tribal Judge appointed under this Section shall be for the remainder of the vacant term.

Section 8 - Powers of the Tribal Court

(a) The judicial powers of the Little River Band shall extend to all cases and matters in law and equity arising under this Constitution, the laws and ordinances of or applicable to the Little River Band including but not limited to:

1. To adjudicate all civil and criminal matters arising within the jurisdiction of the Tribe or to which the Tribe or an enrolled member of the Tribe is a party.
2. To review ordinances and resolutions of the Tribal Council or General Membership to ensure they are consistent with this Constitution and rule void those ordinances and resolutions deemed inconsistent with this Constitution.
3. Hear cases based on ordinances and laws of the Tribe for purpose of determining innocence or guilt where trial by jury has been waived.
4. Assign fines and penalties as allowed for violations of Tribal law, as allowed by Tribal and Federal Law.
5. Grant warrants for search to enforcement officers when just cause is shown.
6. Grant warrants, writs, injunctions and orders no inconsistent with this Constitution.
7. Swear in Tribal Council members and the Tribal Ogema by administering the oath of office;
8. Establish, by general rules, the practice and procedures for all courts of the Little River Band.

Section 9 - Judicial Independence. The Tribal Judiciary shall be independent from the legislative and executive functions of the tribal government and no person exercising powers of the legislative or executive functions of government shall exercise powers properly belonging to the judicial branch of government; provided that the Tribal Council shall be empowered to function as the Tribal Court of the Little River Band until the judges prescribed by this Article have been appointed; provided further that the first Tribal Council and Tribal Ogema elected under this Constitution shall make appointments to its courts within ninety (90) days after its members are elected.

ARTICLE VII - GENERAL MEMBERSHIP POWERS

Section 1. General Membership Meetings.

(a) Meetings of the General Membership of the Little River Band shall be held twice a year; once in the spring, once in the fall, at a site suitable for such a meeting.

1. The chairperson for these meetings shall be the Tribal Ogema, who will officiate at these meetings.
2. At these meetings the membership will be informed as to the affairs and “state of the Tribe”.
3. Subject to the express limitations contained in this Constitution, motions and ordinances adopted by the General Membership shall have the status of law and be binding on the Tribal Council, Tribal Ogema and Judiciary; provided at least thirty (30%) percent of the registered voters of the Tribe are present at such Membership Meeting, as verified by the Election Board.
4. Notice of a General Membership Meeting shall be given thirty (30) days prior to the meeting by mail to the last known address of each adult member of the Tribe, and by posting in the Tribal Office or Governmental Center.

Section 2 - Initiative. Members of the Tribe shall have the power to initiate ordinances or repeal or amend existing ordinances in the following manner:

- a. Initiative petitions shall explain the ordinance to be acted upon in language understood by the signatories.
- b. Petitions signed by twenty-five percent (25%) of the registered voters and verified by the Election Board shall be presented to the Tribal Council for action.
- c. Upon receipt of a verified petition, the Tribal Council may, within thirty (30) days, adopt the initiative measure by a majority vote without alteration. If the Tribal Council fails to adopt the measure, the Election Board shall call a special election for the purpose of allowing the General Membership to vote on the initiative measure.
- d. Initiative elections will be held not less than forty-five (45) days after verification and not more than ninety (90) days in accordance with applicable provisions of this Constitution, any applicable tribal ordinance and any rules and regulations issued by the Election Board.
- e. The decision of a majority of the voters in such an initiative election vote shall be binding on the Tribal Council, provided that thirty percent (30%) of the registered voters cast ballots. If less than thirty percent (30%) of the registered voters of the Tribe cast ballots in such election, the initiative shall be deemed defeated.
- f. The right of initiative does not extend beyond the subject of Tribal ordinances and may not be utilized to abrogate any rights of the Tribal judiciary or abrogate any rights guaranteed to any person under Article III, Section 1 of this Constitution.

Section 3 - Limitations on Membership Powers. The General Membership shall not have the power to take any of the following action under this Article:

- (a) Propose, adopt or amend the Tribal Budget;
- (b) Appropriate or expend Tribal revenues or funds;
- (c) Reverse, overturn or otherwise influence any judicial action of the Tribal Court;
- (d) Take any action which is otherwise in violation of this Constitution or a usurpation of individual rights as defined herein.

Section 4 - Referendum.

- (a) The Tribal Council shall, upon an affirmative vote of seven (7) Council Members, schedule a referendum election on any proposed or previously enacted ordinance by the membership.
- (b) The referendum election shall be held no sooner than thirty (30) days and no later than ninety (90) days from the date the proposed or existing ordinance is referred to the voters in accordance with applicable provisions of this Constitution, any applicable tribal ordinance and any rules and regulations issued by the Election Board. The date of the referendum election shall be set by the Tribal Council.
- (c) The vote of a majority of those actually voting shall be binding upon the Tribal Council, provided at least thirty percent (30%) of the registered voters of the Tribe cast ballots in the referendum election.

Section 5 - Time of Effect or Repeal.

- (a) Any action taken under this Article VII shall take effect ten (10) days after certification of election or vote by the Election Board.
- (b) Actions taken by the General Membership under this Article VII may only be repealed by subsequent action of the General Membership and may not be repealed by action of the Tribal Council.

ARTICLE VIII - POWERS OF THE TRIBE NOT DIMINISHED

Section 1 - Any rights and powers heretofore vested in the Tribe but not expressly referred to in this Constitution shall not be diminished by this Constitution.

Section 2 - This Constitution, Tribal ordinances, regulations and judicial decisions shall govern all people subject to the Tribe’s jurisdiction.

ARTICLE IX – ELECTION

Section 1 - First Election. The first election under this Constitution of the nine (9) members of the Tribal Council and the Tribal Ogema shall be conducted in accordance with Article IV, Section 2, Article V, Section 6 and this Article and shall be conducted no later than one hundred eighty (180) days after this Constitution is adopted. The date for the election shall be set by the Election Board appointed under subsection (e) of this Section. This election shall be conducted to implement a system of staggered terms of service by Tribal Council members and the Tribal Ogema as follows:

- (a) Six positions on the Tribal Council will be elected by members residing in the nine (9) county district consisting of the Michigan Counties of Kent, Lake, Manistee, Mason, Muskegon, Newaygo, Oceana, Ottawa and Wexford. The terms of office for such Council members will be decided in the following manner:
  1. The three (3) candidates receiving the highest number of votes shall each serve an approximate four (4) year term of office.
  2. The three (3) candidates receiving the next highest number of votes shall serve an approximate two (2) year term of office.
- (b) Two positions on the Tribal Council shall be elected by all of the members of the Tribe regardless of residency. The terms of office for such Council members will be decided in the following manner:
  1. The candidate receiving the highest number of votes shall serve an approximate four (4) year term of office.
  2. The candidate receiving the next highest number of votes shall serve an approximate two (2) year term of office.
- (c) One position on the Tribal Council shall elected by those members residing outside the nine (9) county district and shall serve an approximate two (2) year term of office.
- (d) The candidate for the office of Tribal Ogema who receives the majority of votes cast shall serve an approximate four (4) year term of office. If no one (1) candidate receives a majority of the votes cast, a run-off election shall be held between the two (2) candidates who received the highest number of votes.
- (e) The Tribal Council in office when this Constitution is adopted shall appoint an Election Board consisting of five (5) adult members of the Tribe. Such appointments shall be made no later than thirty (30) days after this Constitution is adopted.
- (f) The service of the Election Board members appointed to conduct the first election shall expire immediately upon completion of their duties, in order that the first-elected Tribal Ogema and Tribal Council may make appointments to the Election Board.
- (g) The Election Board shall issue such rules and regulations, consistent with this Constitution, as it deems necessary to properly conduct the first election. Such rules and regulations shall be issued no later than ninety (90) days after appointments are made to the Election Board.
- (h) The Election Board shall register eligible voters of the Tribe and provide for conducting the first election.

Section 2 - Election Methods.

- (a) Regular Elections. After the first election, members of the Tribal Council and the Tribal Ogema shall be elected in the month of April, the date to be set by the Election Board. The conduct for all tribal elections, including registration requirements, shall be prescribed and provided for by the Election Board.
- (b) Special Elections. Special elections shall be called by the Election Board, when appropriate or when required under this Constitution, to remove, recall, and fill vacancies of elected officials, and to submit initiatives and referenda to the Tribal membership.

Section 3 - Voting.

- (a) Any duly enrolled member of the Little River Band of Ottawa, who is at least eighteen (18) years old, and is registered to vote on the date of any given tribal election shall be eligible to vote in that tribal election.
- (b) Voting in tribal elections shall be by secret ballot cast at polls established by the Election Board; Provided however, that the membership may make advisory recommendations at General Membership meetings by voice vote or show of hands concerning matters to be decided by the Tribal Council.
- (c) Absentee voting shall be permitted in accordance with such rules and procedures as shall be established by the Election Board.
- (d) Each registered voter shall be entitled to cast one (1) vote for each vacancy on the Tribal Council in the district(s) in which such voter resides. No more than one (1) vote per candidate may be cast. The candidate(s) receiving the highest number of votes shall be elected to fill each vacancy according to the rank order of votes received. Each registered voter shall be entitled to cast one (1) vote for a candidate for the office of Tribal Ogema.
- (e) In all other elections, a majority of those voting in the election shall constitute action by the Tribe and such vote shall be conclusive on the Tribe.

Section 4 - Election Board.

- (a) The Election Board shall consist of five members to be elected by the registered voters.
  1. First Election of Members. The first election shall be conducted by the Election Board currently seated and their terms of office shall be concluded when the newly elected Election Board members are sworn into office.
  2. First Election Date. The first such election shall be conducted during the next general election of the Tribe.



3. Staggered Terms. Election Board candidates elected to these positions shall serve as follows:  
A. The three (3) candidates receiving the highest number of votes shall serve a four-year term of office.  
B. The two (2) candidates receiving the next highest number of votes shall serve a two-year term of office, and the term shall thereafter be as set forth in subsection (b).  
(b) The term of office for an Election Board member shall be four (4) years.  
(c) Allegations of impropriety by the Election Board shall be settled by the Tribal Judiciary.  
(d) Tribal members who are holding elected office, or running for office, shall not be eligible to serve as an Election Board member.  
(e) The Election Board shall be authorized to issue such rules and procedures as may be necessary to carry out tribal elections and to provide for ongoing voter registration.  
(f) Candidates for tribal office may choose a representative to be present when the election ballots are counted by the Election Board.  
(g) A Tribal member shall have five (5) business days from the date of the election to file an election challenge.  
(h) A vacancy in any Election Board position resulting from death, resignation, removal, or recall shall be filled in the manner as set forth in Article X. Section 4.

ARTICLE X - RESIGNATION, RECALL, OR REMOVAL OF ELECTED OFFICIALS  
Section 1 - *Resignation*. The Tribal Ogema or any member of the Tribal Council may resign from his/her elected position by submitting written notice of resignation to the Tribal Council. Such resignation is effective upon receipt by the Tribal Council.  
Section 2 – *Recall*. The registered voters of the Tribe shall have the right to recall the Tribal Ogema, any member of the Tribal Council, or a Tribal Judge or Appellate Judge by filing a recall petition with the Election Board. The petition must be signed by at least twenty-five percent (25%) of the registered voters of the Tribe. The Election Board shall verify and approved/deny the petition within thirty (30) days of receipt. At least fifty percent (50%) of the verified signatures on the petition must be registered voters who are eligible to vote in the election of the Tribal Council member now subject to recall. The Election Board shall conduct a recall election within ninety (90) days of the Election Board’s verification and approval of the petition and its signatures. If the term of office for the Tribal Ogema or Tribal Council member being recalled will end within six (6) months of the date the Election Board verifies and approves the recall petition the issue will be held until the next regularly scheduled session.  
Section 3 - *Removal*. The Tribal Ogema or any member of the Tribal Council may be subject to removal by a resolution in favor of removal supported by seven (7) of the nine (9) members of the Tribal Council for any of the following reasons:  
(a) Gross misconduct or malfeasance in office.  
(b) Conviction, while in office, of a felony under Federal, Tribal, or State law, or conviction of any other crime involving dishonesty or moral turpitude.  
(c) Inability to fulfill the duties of the office due to mental or physical disability, to the extent that he/she is incapable of exercising judgment about or attending to the business of his/her office.  
At least ten (10) days before the meeting of the Tribal Council at which the vote for removal will be taken, the Tribal Ogema or Tribal Council member, shall be provided with a written notice of Tribal Council’s intent to vote to remove, which notice shall set forth, with specificity, the alleged grounds for removal. Before any vote for removal is taken, the Tribal Ogema or Tribal Council member, shall be provided with a reasonable opportunity to answer the charges at the public meeting of the Tribal Council, held for that purpose. The decision of the Tribal Council shall be final.  
Section 4 - *Vacancies*. A vacancy in the office of an elected official resulting from death, resignation, forfeiture, removal, or recall shall be filled as follows:  
(a) If less than eighteen (18) months remain in the term of office of an elected official, an individual shall be appointed to fill such vacant position at the next regular Tribal Council meeting, provided such appointment is approved by a majority vote of the Tribal Council.  
The Speaker of the Tribal Council shall nominate an individual to fill the vacancy in the

Office of the Tribal Ogema. The Tribal Ogema shall nominate an individual to fill any other vacancy of an elected official.  
(b) If more than eighteen months remain in the term of office of an elected official, a special election shall be held within three (3) months after the vacancy occurs. When calling a special election to the fill the vacancy of a Tribal Council member, the qualifications for candidates and registered voters entitled to participate shall be consistent with those applicable to the District in which such vacant seat exists and in regards to any other office the individual must meet the qualifications required in the vacant position.  
(c) Any special election required to be held under this Section shall be conducted in accordance with applicable provisions of this Constitution, any applicable tribal ordinance and any rules and regulations issued by the Election Board.  
(d) The elected official taking office under the provisions of this Section shall only serve until the term of office for the vacant office he/she is filling expires.  
A vacancy occurring in the position of Speaker or Recorder of the Tribal Council shall be filled by majority voter of the Tribal Council.

ARTICLE XI - SOVEREIGN IMMUNITY  
Section 1 - The Tribal Council shall not waive or limit the right of the Little River Band to be immune from suit, except as authorized by tribal ordinance or resolution or in furtherance of tribal business enterprises. Except as authorized by tribal ordinance or resolution, the provisions of Article III of this Constitution shall not be construed to waive or limit the right of the Little River Band to be immune from suit for damages.  
Section 2 - Suits against the Little River Band in Tribal Courts Authorized.  
(a) The Little River Band, its Tribal Council members, Tribal Ogema, and other Tribal officials, acting in their official capacities, shall be subject to suit for declaratory or injunctive relief in the Tribal Court system for the purpose of enforcing rights and duties established by this Constitution and by the ordinances and resolutions of the Tribe.  
(b) Notwithstanding the authorization provided in subsection (a) of this Section, persons shall not be entitled to an award of damages, as a form of relief, against the Tribe, its Tribal Council members, the Tribal Ogema, or other Tribal officials acting in their official capacities; provided that the Tribal Council may by ordinance waive the right of the Tribe or Tribal officials to be immune from damages in such suits only in specified instances when such waiver would promote the best interests of the Band or the interests of justice.  
(c) The Tribe, however, by this Article does not waive or limit any rights which it may have to be immune from suit in the courts of the United States or of any state.

ARTICLE XII - CONFLICT OF INTEREST  
In carrying out the duties of tribal office, no tribal official, elected or appointed, shall make or participate in making decisions which involve balancing a personal financial interest, other than interests held in common by all tribal members, against the interests of the Tribe.

ARTICLE XIII – SEVERABILITY  
If for any reason any provision of this Constitution shall be held to be invalid or unconstitutional by the Tribal Court or any federal court of competent jurisdiction, the validity and effect of all other provisions shall not be affected thereby.

ARTICLE XIV. AMENDMENTS  
Section 1 - This Constitution may be amended by a majority vote of the qualified voters of the Little River Band voting in an election called for that purpose by the Secretary of the Interior or his authorized representative; provided at least thirty percent (30%) of those entitled to vote participate in such election.  
Section 2 - It shall be the duty of the Secretary of the Interior to call an election on any proposed amendment at the request of the Tribal Council or upon receipt of a petition, which has been verified by the Tribe’s Election Board, signed by at least thirty percent (30%) of the eligible voters of the Little River Band.

ARTICLE XV – ADOPTION  
This Constitution, when adopted by a majority vote of the qualified voters of the Little River Band voting at a special election called for such purpose by the Secretary of the Interior or his authorized representative, in which at least thirty percent (30%) of those entitled to vote shall vote, shall be submitted to the Secretary of the Interior for his approval and shall be effective from the date of his approval.

CERTIFICATE OF RESULTS OF ELECTION  
Pursuant to a Secretarial election authorized by the Deputy Commissioner of Indian Affairs on January 20, 1998, the attached Constitution of the Little River Band of Ottawa was submitted to the qualified voters of the Little River Band and on May 27, 1998, was duly adopted/rejected by a vote of 553 for and 32 against and 3 cast ballots found spoiled of mutilated in an election in which at least 30 percent (30%) of the 833 members entitled to vote, cast their ballots in accordance with the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended.  
/s/ Anne E. Bolton; Chairman, Election Board  
/s/ Robert E. Hardenburgh; Member, Election Board  
/s/ Diane S. Lonn; Member, Election Board  
/s/ Jonnie J. Sam II; Member, Election Board

***Date: May 27, 1998***

CERTIFICATE OF RESULTS OF ELECTION (2004 AMENDMENTS)  
Pursuant to an order issued by Larry Morrin, Midwest Regional Director, on October 27, 2003, this Proposed Amendment “A” was submitted to the qualified voters of the Little River Band of Ottawa on April 26, 2004, and was duly adopted/rejected by a vote of 379 for, and 92 against, and 5 cast ballots found spoiled or mutilated, in an election in which at least thirty percent (30%) of the 997 entitled to vote cast their ballots in accordance with Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended. Pursuant to an order issued by Larry Morrin, Midwest Regional Director, on October 27, 2003, this Proposed Amendment “B” was submitted to the qualified voters of the Little River Band of Ottawa on April 26, 2004, and was duly adopted/rejected by a vote of 375 for, and 94 against, and 7 cast ballots found spoiled or mutilated, in an election in which at least thirty percent (30%) of the 997 entitled to vote cast their ballots in accordance with Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended.

Pursuant to an order issued by Larry Morrin, Midwest Regional Director, on October 27, 2003, this Proposed Amendment “C” was submitted to the qualified voters of the Little River Band of Ottawa on April 26, 2004, and was duly adopted/rejected by a vote of 378 for, and 90 against, and 8 cast ballots found spoiled or mutilated, in an election in which at least thirty percent (30%) of the 997 entitled to vote cast their ballots in accordance with Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended.

Gerald F. Parrish  
Chairman, Election Board

John Ross  
David Lilliberg  
Kathleen Bowen

Date: April 26, 2004 Susan A. Schultz

CERTIFICATE OF APPROVAL  
I, Hilda A. Manuel, Deputy Commissioner of Indian Affairs, by virtue of the authority granted to the Secretary of the Interior by the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended, and delegated to me by Secretarial Order No. 3150 as extended by Secretarial Order No. 3177, as amended, do hereby approve the Constitution of the Little River Band of Ottawa. This Constitution is effective as of this date; PROVIDED, That nothing in this approval shall be construed as authorizing any action under this document that would be contrary to Federal law.

/s/ Hilda A. Manuel  
Deputy Commissioner of Indian Affairs  
Washington, D.C.

***Date: Jul 10 1998***



# LRBOI Constitution & BIA Tribal Revenue Allocation Plans

CERTIFICATE OF APPROVAL (2004 AMENDMENTS)  
I, Terry L. Virden, Regional Director, Midwest Regional Office, Bureau of Indian Affairs, by virtue of the authority granted to the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 984), as amended, and further delegated to me by 3 IAM 4.4, do hereby approve Proposed Amendment “A” now designated as Amendment Number I to the Constitution of the Little River Band of Ottawa Indians. This amendment is effective as of this date: PROVIDED, that nothing in this approval shall be construed as authorizing any action under this document that would be contrary to Federal law.

I, Terry L. Virden, Regional Director, Midwest Regional Office, Bureau of Indian Affairs, by virtue of the authority granted to the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 984), as amended, and further delegated to me by 3 IAM 4.4, do hereby approve Proposed Amendment “B” now designated as Amendment Number II to the Constitution of the Little River Band of Ottawa Indians. This amendment is effective as of this date: PROVIDED, that nothing in this approval shall be construed as authorizing any action under this document that would be contrary to Federal law.

I, Terry L. Virden, Regional Director, Midwest Regional Office, Bureau of Indian Affairs, by virtue of the authority granted to the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 984), as amended, and further delegated to me by 3 IAM 4.4, do hereby approve Proposed Amendment “C” now designated as Amendment Number III to the Constitution of the Little River Band of Ottawa Indians. This amendment is effective as of this date: PROVIDED, that nothing in this approval shall be construed as authorizing any action under this document that would be contrary to Federal law.

Terrance L. Virden  
Regional Director

Date: May 13, 2004

## BIA Tribal Revenue Allocation Plans

(Not part of the Constitution)

DEPARTMENT OF THE INTERIOR  
Bureau of Indian Affairs  
25 CFR Part 290  
RIN 1076–AD74  
Tribal Revenue Allocation Plans

AGENCY: Bureau of Indian Affairs, Interior.  
ACTION: Final rule.

SUMMARY: The Bureau of Indian Affairs (BIA) is establishing regulations to implement Section 11(b)(3) of the Indian Gaming Regulatory Act (IGRA). This rule establishes procedures for the submission, review, and approval of tribal revenue allocation plans for the distribution of net gaming revenues from tribal gaming activities.

EFFECTIVE DATE: These regulations take effect on April 17, 2000.

FOR FURTHER INFORMATION CONTACT:  
Nancy Pierskalla, Management Analyst,  
Office of Indian Gaming Management, at  
202–219–4066.

SUPPLEMENTARY INFORMATION:

The IGRA, 25 U.S.C. § 2701 et seq., was signed into law on October 17, 1988. Pursuant to Section 11(b)(3)(B), 25 U.S.C. 2710(b)(3)(B), of IGRA, the Secretary of the Interior (Secretary) is charged with the review and approval of tribal revenue allocation plans relating to the distribution of net gaming revenues from a tribal gaming activity. These regulations establish a method for the submission, review and approval of tribal revenue allocation plans. The IGRA provides that net gaming revenues from class II and class III gaming may be distributed in the form of per capita payments to members of the Indian tribe provided the Indian tribe has prepared a Tribal Revenue Allocation Plan which is approved by the Secretary. On December 21, 1992, the Assistant Secretary—Indian Affairs (AS–IA) issued Guidelines to Govern the Review and Approval of Tribal Revenue Allocation Plans. As outlined in IGRA, the Guidelines require that the Indian tribe must dedicate a significant share (or portion) of net gaming revenues for economic development and governmental purposes, that the interests of minors and other legally incompetent persons entitled to receive per capita payments must be protected and preserved, and that per capita payments are subject to Federal income taxes. The AS–IA does not mandate the distribution of net gaming revenues to individual tribal members. However, it is essential that Indian tribes choosing to make per capita payments comply with the requirements of IGRA. The proposed rule was published on June 7, 1996 (61 FR 29044). A notice to extend the comment period was published on March 7, 1997 (62 FR 5588). Comment received during the comment period ending August 6, 1996, and March 24, 1997, were considered in the drafting of this final rule.

### REVIEW OF PUBLIC COMMENTS

Fifty-three comments were submitted In response to the June 7, 1996, Federal Register publication of the proposed rule, 25 CFR 290, and the March 7, 1997, Federal Register publication to extend the comment period.  
Section 290.1 Purpose  
No comments were received on this section.  
Section 290.2 Definitions—Governing Document  
One comment recommended adding a definition for the term “governing document.” Response: This comment was not adopted. Some tribes do not have constitutions or other written governing documents. Some tribes which do have written governing documents have also developed substantial bodies of tribal law interpreting those documents. Accordingly, we have substituted the phrase “applicable tribal law” as a more inclusive term than the phrase “governing document” in the definition of “Member of an Indian tribe” and elsewhere. It was unnecessary, therefore, to define the term “governing document.”

Section 290.2 Definitions—Legal Incompetent  
One comment suggested that the definition of the term “legal incompetent” include individuals declared by tribal or BIA Social Services to be in need of “supervised accounts” based on documented conditions such as incarceration, physical conditions, and mental/emotional conditions. Response: This comment was not adopted but the definition is amended to add “or as established by the tribe” following tribal justice systems, to allow the tribe to determine whether an individual is in need of a supervised account. Another comment suggested that “legal incompetent” be defined as an individual beneficiary eligible to participate in a per capita benefit program. Response: This comment was not adopted. We believe it is inconsistent with IGRA. The IGRA refers to payments from net gaming revenues as per capita payments, 25 U.S.C. § 2710(b)(3), not payments “in a per capita benefit program.”

Section 290.2 Definitions—Member of an Indian Tribe  
One comment supported the proposed definition. One comment objected to the use of “consistently maintained” because the usage was subject to Federal review of who is an Indian.

Another comment suggested that this definition was not sufficient since it may include individuals who are not enrolled in the tribe. Several comments stated that the definition needs to be changed because it is too broad, invites argument, conflict, and potential litigation because it will entangle BIA in membership determinations. Response: BIA agrees with the comments that membership determinations are internal tribal matters that should be decided by the tribe. Under § 290.23, if there are disputes arising from tribal determinations of who is a member eligible to receive per capita payments from net gaming revenues, such disputes should be resolved in tribal forums. The revision is based on a presumption that there will always be requirements for membership, whether in a constitution, ordinance, resolution, court decision, custom and tradition or some combination thereof. Together, to whatever degree they exist for a particular tribe, these sources of law will form the “applicable tribal law” for that tribe. The revision breaks the definition into two paragraphs based upon whether a particular tribe maintains a tribal roll. Paragraph (1), in effect, requires that a person be listed on the tribal rolls if rolls are kept, and paragraph (2) requires that the person be recognized as a member by the tribal governing body if rolls are not kept.

Recognition by the governing body becomes the proof of membership in the absence of rolls.

Section 290.2 Definitions—Per Capita  
Several comments recommended that the definition of the term “per capita” include or be distinguished from other payments made to individuals under special tribal programs from net gaming revenues.

Response: This recommendation was adopted and the definition is amended to clarify other payments set aside by the tribe for special purposes or programs. Another comment suggested that the term “per capita” be defined as a benefit paid or to be paid in the future to all members of the tribe. Response: This comment was not adopted because IGRA refers to payments from net gaming revenues as per capita payments, 25 U.S.C. 2710(b)(3), and not as “per capita benefits.”

The definition of the term is modified to “Per Capita Payment” for clarification purposes, and amended to reflect that the term “payment” includes money or other thing of value.

Section 290.3 Information Collection  
This section is added as a requirement under the Paperwork Reduction Act of 1995, 44 U.S.C. 3507(d). The information collection requirements contained in 290.12, 290.17, 290.24 and 290.26 have been approved by the OMB and assigned clearance number 1076– 0152, expiration date March 31, 2000.

Section 290.4 What is a Tribal Revenue Allocation Plan?

No comments were received on this section.  
Section 290.5 Who Approves Tribal Revenue Allocation Plans?  
Section 290.5, formerly § 290.3, is renumbered and amended to clarify who will review and approve tribal revenue allocation plans.

One comment recommended that Indian tribes should not be required to seek Federal approval for the allocation of tribal dollars because such approval is insulting, paternalistic and diminishes tribal sovereignty.

Another comment requested that small one time payments, i.e. \$100– \$500, be excluded from the submission, review and approval of a tribal revenue allocation plan.

Response: These comments were not adopted. Congress has mandated that tribes submit and receive approval of tribal revenue allocation plans from the Secretary, 25 U.S.C. 2710(b)(3)(B). Regulations promulgated by BIA must comply with the requirements in IGRA.

Another comment suggested that the rule permit Indian tribes who are not subject to IGRA to adopt tribal revenue allocation plans subject to review and approval by the Secretary, and regardless of IGRA requirements, permit Indian tribes with gaming revenues to adopt a tribal revenue allocation plan in accordance with any applicable regulation, subject to the review and approval of the Secretary.

Response: This comment was not adopted. Unless specifically exempted from IGRA by Congress, any tribe is subject to IGRA, 25 U.S.C. 2703(5), 2710(b)(1) if it is:

- (1) Recognized by the Secretary as eligible for the special programs and services provided by the United States to Indians because of their status as Indians; and
- (2) Recognized as possessing powers of self-government.

Section 290.6 Who Must Submit a Tribal Revenue Allocation Plan?

This section, formerly § 290.5 was renumbered due to the addition of § 290.3.

No comments were received on this section.

Section 290.7 Must An Indian Tribe Have a Tribal Revenue Allocation Plan If It Is Not Making Per Capita Payments?

This section, formerly § 290.6 was renumbered due to the addition of § 290.3.

No comments were received on this section.

Section 290.8 Do Indian Tribes Have to Make Per Capita Payments From Net Gaming Revenues to Tribal Members?

This section, formerly § 290.7 was renumbered due to the addition of § 290.3.

No comments were received on this section.

Section 290.9 How May an Indian Tribe Use Net Gaming Revenues If It Does Not Have an Approved Tribal Revenue Allocation Plan?

This section formerly § 290.8 was renumbered due to the addition of § 290.3.

No comments were received on this section.

Section 290.10 Is an Indian Tribe in Violation of IGRA If It Makes Per Capita Payments to Members From Net Gaming Revenues Without an Approved Tribal Revenue Allocation Plan?

Section 290.10 combines former §§ 290.9 and 290.24 to address the consequences of making per capita payments without an approved tribal revenue allocation plan.



The Little River Band of Ottawa Indians Welcomes you to:  
**The 12th Annual Anishinaabe Family Language & Culture Camp**  
Celebrating the unity of what our Language & Culture brings us  
Bring your Nation Flag & Gift for Giveaway  
No Registration fee! Meals are provided!

Aanii piish  
Manistee Mi

Wenesh pii  
July 29, 30, 31

Friday July 29	Saturday July 30	Sunday July 31
8:00 Opening & Breakfast	8:00 Breakfast	8:00 Breakfast
9:15 Presentations / workshops	9:15 Presentations / workshops	9:15 Presentations / workshops
10:45 Presentations / workshops	10:45 Presentations / workshops	10:45 Presentations / workshops
12:00 Lunch	12:00 Lunch	12:00 Lunch & Giveaway
1:15 Presentations / workshops	1:15 Presentations / workshops	
2:45 Presentations / workshops	2:45 Presentations / workshops	
4:15 Free time	4:15 Free time	
5:00 Dinner	5:00 Dinner	
7:00 Talent show	7:00 Jiingtamok / pow wow	

These presentations and workshops are for all ages and both Anishinaabemowin and English will be used. First come, first serve for the camping area. This gathering will take place at the pow wow grounds in Manistee Mi. located at the corner of M 22 and US 31 S across from the Casino. There are showers on site. If you wish to book a room you have to do it early. This is the 12 year anniversary of this gathering and we would like everyone to bring their flags from each community and we would like to display the flags on the camp grounds the whole weekend to show unity and support for the language and culture. Also we encourage each family to bring a gift for the giveaway.

Sponsored by the Little River Band of Ottawa Indians of the Anishinaabe Nation  
For more information please call Kenny Neganigwane Pheasant at  
231-933-4406; or 231-690-3508; or 231-398-9378 ext27

Email: pheasant9@aol.com ; or kennypheasant@charter.net; or [www.anishinaabemowin.org](http://www.anishinaabemowin.org); or [www.anishinaabemdaa.com](http://www.anishinaabemdaa.com)

Visit the first and only language website ever created!  
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Anishinaabe Language Hotline



1-877-789-0993

People & professions	Press 1	Clothing	Press 7
Verbs on cooking	Press 2	My family members	Press 8
More verbs	Press 3	Your family members	Press 9
Word opposites	Press 4	His/her family members	Press 10
Verbs	Press 5	Numbers (10-90)	Press 11
Word opposites	Press 6	Commands	Press 12

# Anishinaabemowin



- 6 chapters and over 800 Beginning, Intermediate, Advanced and Conversational words and phrases
- Telling Time and Counting, Bingo and Concentration Games and Hundreds of Photos
  - Appropriate for all age levels
- Music by Charlie Wayne Watson
- Over 8 minutes of video: "Introduction to Anishinaabemowin", "Medicine Bear" and "My Family"
- Anishinaabe Cultural Information and Historical Facts



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LRBOI Domestic Violence Prevention Program	Tollfree	(888) 382-8299
	Direct	(231) 398-6614



**Tribe Supports Ludington Arts Event**  
**LRBOI helps bring understanding of native culture to region**

*Little River Band of Ottawa Indians Assistant Tribal Manager Lynn Moore and Public Information Director Glenn Zaring took part in a news conference on March 16th 2005 in Ludington, MI to announce the coming visit of the Artrain USA to Ludington this coming May. Moore and Zaring were representing the tribe in the presentation of a donation check to help bring this rolling art exhibit to the region. The theme of the exhibit this year is Native Views, Influences of Modern Culture, a Contemporary Native American Art Exhibition."*



**Artrain USA to Visit Ludington Over Memorial Day Weekend**  
**CARROM FESTIVAL, OTHER EVENTS HELP KICK OFF SUMMER SEASON**



(Ludington, MI) West Michigan’s 2005 tourist season starts with a bang over Memorial Day weekend as Artrain USA rolls into Ludington with a highly acclaimed exhibit of the best in contemporary Native American art. The exhibit opens Sunday, May 29 and runs through June 1. The Ludington Area Arts Council and a citizen steering committee teamed with the Little River Band of Ottawa Indians to bring the coveted national touring exhibit to the Lake Michigan shoreline community that is Michigan’s third most popular tourist destination.\* The current Artrain USA exhibit is Native Views: Influences of Modern Culture, featur-

ing contemporary works of art by some fifty Native American artists and craftspeople. This is the second year of its four-year tour of the United States, with the Ludington visit set for May 28-June 1. Artrain USA, headquartered in Ann Arbor, exists to enrich lives and build communications through the arts. As America’s Hometown Museum, Artrain USA, first established in Michigan in 1971, brings visual art exhibitions and programs directly to communities that have limited or no access to major museums or collections. With five rail cars housing a fine arts exhibition, artist studio, gift shop and on-board administration staff, Artrain USA

has attracted nearly 3 million people across 44 states and the District of Columbia. Artrain USA/Ludington Admission is Free While there is no charge for admission to Artrain USA, donations are encouraged and help defray operational costs. “This is a very big event for all the communities in our region,” said Derik Heimerdinger, co-chair of the local Artrain USA steering committee. “This is the only stop for this outstanding exhibit in an area roughly bounded by Muskegon, Traverse City, Cadillac and Big Rapids. The next closest stops on the tour are in Mt. Pleasant and Petosky, so this offers people a major reason to be here for the traditional kick-

off of the tourist season.” Co-chair Sally Richards added, “We hope that not only visitors to town over the Memorial Holiday will take advantage of the event, but also large numbers of school children both from within and outside our immediate community. We’re also looking for a big turn out from area year round residents as well.” Little River Band of Ottawa Indians provides principal financing

CONTINUED P. 27



BE-DA-BIN DRUM AND RATTLE MAKING WORKSHOP



From left to right starting in front row  
Zoe Shepard, Brooke Rynders, Josclyn Cabarrubia, Violet Lawrence, Jalissa Cabarrubia, Rachel Walsh  
Joseph Garza, Blaque Clyne, Bronsen Clyne, Mark Cole Jr.  
JEFF BATTICE, PATRICK WILSON, Zack Szpliet, Amber Shepard, Joe Sands, Blue Lawrence, JULIE WOLFE  
Not pictured: TJ Shepard, April Wadenia

*“I don’t think that anybody anywhere can talk about the future of their people or of an organization without talking about education. Whoever controls the education of our children controls our future.”- Wilma P. Mankiller- Cherokee*

Be-Da-Bin offered a workshop that was held at the Community Center on Saturday & Sunday, March 12 and 13. The group of young Anishnabe created Sacred Ceremonial items with a focus on the importance of maintaining a healthy, sober and drug free way of life. Be-Da-Bin values the teachings of a healthy and sober way of life, especially around sacred items. It

was very busy and exciting for all that were involved. The activities were instructed by Patrick Wilson and assisted by Jeff Battice and Julie Wolfe. The young girls crafted Turtle Shell Shakers, while the boys crafted hand drums. So much was shared and absorbed into the minds and hearts of our youth. We must educate our children to ensure our future generations will maintain the culture of Anishnabe people.

Respectfully submitted by Julie Wolfe, Youth Prevention

SKATING GROUP BROUGHT THE WORLD TO TAWAS

by John Morris - Published in the Oscoda Press on Wednesday, March 9, 2005 (Vol. 129, No. 38)



**SATURDAY SKATE - Shannon Kendall skated to “Ghost Dance” during Saturday’s Huron Hockey and Figure Skating Association’s ice show “Roam Around the World” at the group’s rink along M-55 in Tawas. - Photo by John Morris**

TAWAS - To a packed house, the Huron Hockey and Skating Association presented its fourth annual ice show “Roam Around the World” Saturday at the group’s rink along M-55 in Tawas. Featuring about 65 area youths, the show lasted an hour and 15 minutes. The ice show focused on a world theme and the countries and regions of Mexico, Australia, Egypt, Kenya, India, Spain, Germany, Arabia, Jamaica, the Caribbean Islands, England, Russia, France and the United States. The guest performer was 14-year-old Courtney Mueller from the Detroit Skate Club. Mueller is the 2001 Juvenile Regionals winner and has competed in the 2000 and the 2001 U.S. Nationals. A relative of Tawas physician Dr. Glen Enzenberger, Mueller

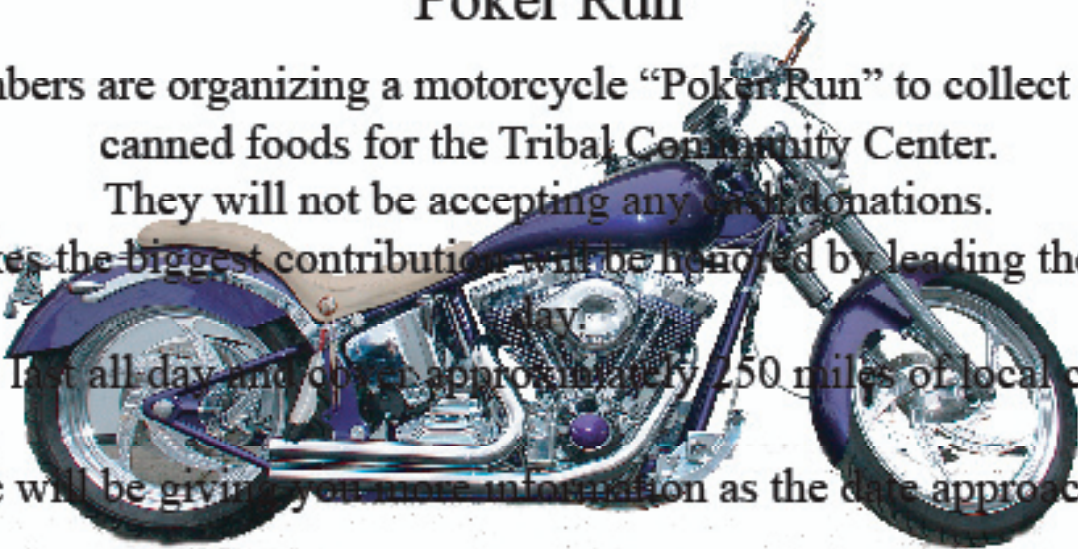
performed two sets -- her long program skated to “Pirates of the Caribbean” and a short program skated to “Proud to be an American.” According to Patty Mason, the ice show’s director, the group’s figure skating program lasts about 12 weeks. She said the first eight weeks are dedicated to instruction only. “We use a program designed by the United States Figure Skating Association focusing on providing the kids with the techniques and skills, while at the same time building confidence and of course incorporating lots of fun at the same time,” Mason said. She said the last four weeks are dedicated to the ice show’s preparation. “Each group only practices a total of four times before show

time,” Mason said. “These kids work hard. And I am fortunate enough to have a great coaching staff consisting of 14 coaches including myself. We’re all volunteers.” Mason also said when the program began nine years ago there were just 15 children who signed up. “It has really grown,” Mason said. “Kellee Chomin (high school senior) along with Susan Slade (the show’s assistant director) joined the program six years ago. “They brought with them tons of experience and lots of talent. They are large contributors to the growth of this program.” And even the skaters’ costumes were done by volunteers.

- John Morris

Poker Run

A few Tribal Members are organizing a motorcycle “Poker Run” to collect non-perishable and canned foods for the Tribal Community Center. They will not be accepting any cash donations. The rider that makes the biggest contribution will be honored by leading the Poker Run for the day. The run will last all day and cover approximately 250 miles of local country roads. We will be giving you more information as the date approaches.





CONTINUED FROM P. 14

One comment requested that the rule identify the ramifications for noncompliance and the procedures that the Department of Justice (DOJ) would use to enforce the rule. Response: This comment was not adopted because enforcement procedures have not been discussed with DOJ, 25 U.S.C. 2716(c). The DOJ and the National Indian Gaming Commission (NIGC) pursuant to 25 U.S.C. 2713 (b)(1), 25 U.S.C. 2710 (d)(1)(A)(ii), and 25 U.S.C. 2710 (b)(3)(A)–(D), have authority to enforce the per capita requirements of IGRA.

290.11 May an Indian Tribe Distribute Per Capita Payments From Net Gaming Revenues Derived from Either Class II or Class III Gaming Without a Tribal Revenue Allocation Plan?

This section, formerly § 290.10, was renumbered due to the addition of § 290.3. No comments were received on this section.

Section 290.12 What Information Must the Tribal Revenue Allocation Plan Contain?

This section, formerly § 290.11, was renumbered due to the addition of § 290.3. One comment questioned the need for this section, but after review agreed that the section merely stated what must be in the plan and that other sections discussed the topics in more detail. Paragraph (a) requires that tribes prepare a tribal revenue allocation plan that includes a percentage breakdown of the uses to which net gaming revenues will be allocated. The percentage breakdown must total 100 percent. One comment requested clarification that only a percentage breakdown of uses is required and not actual budget figures. Response: This comment was not adopted because that requirement is already specified in paragraph (a). Paragraph (b) The revenue allocation plan must meet the following criteria: No comments were received on this paragraph. Paragraph (b)(1) formerly 290.11 paragraph (b)(1) is removed. Eight comments were received objecting to the limitation of 50 percent of the net gaming revenues be used for per capita payments and recommended reconsideration or elimination of the section. Response: This recommendation was adopted. Each tribal revenue allocation plan will be reviewed by the appropriate Bureau official (ABO) on a case-by-case basis to ensure compliance with IGRA and 25 CFR part 290. Paragraph (b)(1) is revised due to the deletion of § 290.11 (b)(1) of the proposed rule. One comment suggested that this section, in addition to funding tribal government operations or programs and promoting tribal economic development, mandates that the tribe must also provide for the general welfare of the Indian tribe and its members; to donate to charitable organizations or to help fund operations of local government agencies. Another comment recommended that the term “significant” be defined. Response: These comments have been adopted in part to require the tribe to reserve an adequate portion of net gaming revenues for one or more of the purposes set forth in the IGRA, 25 U.S.C. 2710 (b)(2)(B). Paragraph (b)(2) formerly paragraph § 290.11 (b)(3) is revised due to the deletion of § 290.11(b)(1) of the proposed rule. One comment suggested that this section was open ended and needed to outline specific requirements the Secretary must review as required by IGRA. This comment was adopted to require detailed information to allow the ABO to determine compliance with this section and IGRA. Paragraph (b)(3) combines former §§ 290.11(b)(4) and 290.15 because they refer to the disbursement of minors’ and legal incompetents’ per capita payments to the parents or legal guardians of such minors or legal incompetents. Several comments questioned why a minor’s or legal incompetent’s shares must be made available to his/her parent or legal guardian and whether the parents or legal guardians should be accountable for the funds they receive. Response: This comment was not adopted because the IGRA requires the per capita payments to be disbursed to the parents or legal guardians of such minors or legal incompetents in such amounts as necessary for the health, education, or welfare, of the minor or other legally incompetent. It is up to the tribe to establish a method for the accountability of the funds. One comment suggested that the rule address the following: (1) A tribe disperses funds to a parent or legal guardian and the parent or legal guardian fails to use the funds for the minor or legal incompetent. Has the tribe met its obligation to protect and preserve the shares allocated to minors and legal incompetents? (2) Precautions that a tribe may take to protect and preserve the shares allocated to minors and legal incompetents? (3) Circumstances under which a tribe should refuse to disperse funds to the parent or legal guardian of a minor or legal incompetent? One comment recommended that §§ 290.11(b)(4) and 290.15 be cross referenced because they appear to require a separate plan for the disbursement of minors’ and legal incompetents’ per capita payments to the parents or legal guardians of such minors or legal incompetents. One comment suggested this section was open ended and needed more specific information as to whether guidance is directed to the field or the public. Response: These comments were adopted and the new revised paragraph (b)(3) includes these requirements. Paragraph (b)(4) formerly § 290.11 (b)(5) is renumbered due to the deletion of paragraph (b)(1). No comments were received on this paragraph. Paragraph (b)(5) formerly § 290.11 (b)(6) is renumbered due to the deletion of paragraph (b)(1). One comment asked whether existing tribal systems fulfill the requirement for a forum or process for the resolution of discrepancy in expenditure of net gaming revenues or disputes regarding per capita payments. Response: This comment was not adopted but is amended to read: “and must utilize or establish a tribal court system, forum or administrative process for resolution of disputes” following eligibility requirements.

Section 290.13 Under What Conditions May an Indian Tribe Distribute Per Capita Payments?

This section, formerly 290.12, was renumbered due to the addition of § 290.3. No comments were received on this section.

Section 290.14 Who Can Share in a Per Capita Payment?

Section 290.14 combines former §§ 290.13 and 290.14. One comment recommended these sections be combined for clarification. Response: This comment was adopted, §§ 290.13 and 290.14 are combined because they both refer to the per capita distribution of payments.

Section 290.15 Must the Indian Tribe Establish Trust Accounts With Financial Institutions for Minors and Legal Incompetents?

Section 290.15 formerly § 290.16 is renumbered, the former § 290.15 and § 290.11(b)(3) are combined under § 290.12(b)(4). One comment suggested the inclusion of the following language: “Congress has not mandated any one way for you to protect and preserve the interests of minors and legal incompetents, as long as you do not distribute benefits currently to the parents or legal guardian in such a way that the parents or legal guardian may use the benefits for their own purposes unrelated to the minor’s or legal incompetent’s health, education, or welfare needs. You have the flexibility to consider all relevant factors, including desired income tax and other consequences for the minors and legal incompetents, in deciding how best to structure your benefit programs, subject to the requirement that the Secretary must review and approve your revenue allocation plan.” Response: This comment was not adopted. The IGRA authorizes “per capita payments” from net gaming revenues, 25 U.S.C. 2710(b)(3), not “benefits.” This section has been amended to clarify that the tribe may establish trust accounts with financial institutions but should explore investment options to structure the accounts to the benefit of their members.

Section 290.16 Can the Per Capita Payments of Minors and Legal Incompetents be Deposited into Accounts Held by BIA or OTFM?

Section 290.16 formerly § 290.17 is renumbered, because former §§ 290.15 and 290.11(b)(3) are combined under § 290.12(b)(4). One comment indicated that this section is detrimental to the health and well being of Indians requiring supervised accounts. Another comment concerned the placement of gaming revenues into Proceeds of Labor accounts. Another comment recommended rewording of the section because trust funds are now administered by the Office of Trust Funds Management (OTFM). Response: Only the last comment has been adopted. This section has been amended to clarify that the Secretary will not accept any deposits of payments or funds derived from net gaming revenues to any account held by BIA or OTFM. It has long been BIA policy to place only funds derived from trust assets into Individual Indian Money accounts, Indian Moneys Proceeds of Labor Escrow accounts or special deposit funds accounts held by BIA. Gaming revenues are not funds derived from trust assets or trust resources but are tribal funds under the control of the tribe. In addition, the Internal Revenue Service (IRS) regulations, 26 CFR part 31, require that Indian tribes, not BIA or OTFM, withhold taxes for all recipients. Section 290.17 What Documents Must the Indian Tribe Include With the Tribal Revenue Allocation Plan? Section 290.17 formerly § 290.18 is renumbered, because former §§ 290.15 and 290.11 (b)(3) are combined under § 290.12 (b)(4). No comments were received on this section.

Section 290.18 Where Should the Indian Tribe Submit the Tribal Revenue Allocation Plan?

Section 290.18 formerly § 290.19 is renumbered, because former §§ 290.15 and 290.11 (b)(3) are combined under § 290.12 (b)(4). One comment suggested a deadline for review by the Superintendent be included in the rule. Response: This comment was not adopted. The Superintendent’s limited role in the process is confined to a determination that the plan was adopted in accordance with applicable tribal law. There is no need for a time deadline for forwarding the plan to the ABO.

Section 290.19 How Long Will the ABO Take to Review and Approve the Tribal Revenue Allocation Plan? Section 290.19 formerly §§ 290.20 and 290.21 are combined. One comment recommended these sections be combined to identify the action and the time limit necessary for review and approval of the plan by the ABO. Response: This comment has been adopted and is amended to read: “How long will the ABO take to review and approve the tribal revenue allocation plan.” Four comments questioned what would happen after the 90-day period if no action is taken by the ABO and what recourse a tribe would have if the tribal revenue allocation plan is rejected by the ABO. Response: In response to these comments, a new paragraph (c) is added to read: “If the ABO fails to take action within the 60 days you may appeal the failure of the ABO to act on your request in accordance with the regulations at 25 CFR part 2. A tribal revenue allocation plan is not effective without the express written approval of the ABO.” The changes to this section clarify that the ABO should act on the tribal revenue allocation plan within 60 days of its submission to the ABO. These changes clarify that a failure to act within this time period can be appealed under 25 CFR part 2 and that the tribal revenue allocation plan is not effective until it has the express written approval of the ABO. The reference in the proposed rule to the tribe’s governing document is omitted in the final rule in order to provide adequate time for review by the ABO, to prevent a tribe’s shortened review time limits from bumping the review of another tribe’s plan and because IGRA specifically requires approval of the plan by the Secretary. The time deadline has been shortened to 60 days to assure prompt consideration of the plan.

Section 290.20 When Will the ABO Disapprove a Tribal Revenue Allocation Plan?

Section 290.20 formerly § 290.22 is renumbered. No comments were received on this section.

Section 290.21 May an Indian Tribe Appeal the ABO’s Decision?

Section 290.21 formerly § 290.23 is renumbered. One comment suggested 43 CFR part 4 be included in the appeal process. Response: No action was taken on this comment. The process set forth in 25 CFR part 2, Appeals from Administrative Action provides the mechanism for appeal to the Interior Board of Indian Appeals, the same as 43 CFR part 4.

Section 290.22 How Does the Indian Tribe and its Members Ensure Compliance With its Tribal Revenue Allocation Plan?

Section 290.22 formerly § 290.25 is renumbered. One comment requested clarification whether existing tribal systems fulfill the requirement for a forum or process for the resolution of discrepancy in expenditures of net gaming revenues. Response: This comment was not adopted but is amended to include a tribal court system, forum or administrative process in the tribal revenue allocation plan for reviewing expenditures of net gaming revenues and explain how you will correct deficiencies.

Section 290.23 How Does the Indian Tribe Resolve Disputes Arising From Per Capita Payments to Individual Members or Identified Groups of Members?

Section 290.23 formerly § 290.26 is renumbered. One comment asked whether existing tribal systems fulfill the requirement for a forum or process for the resolution of disputes regarding per capita payments. Response: This comment was not adopted but is amended to include a tribal court system, forum or administrative process to resolve disputes arising from per capita distributions.

Section 290.24 Do Revisions/Amendments to a Tribal Revenue Allocation Plan Require Approval?

Section 290.24 formerly § 290.27 is renumbered. No comments were received on this section.

Section 290.25 What is the Liability of the United States Under This Part?

Section 290.25 formerly § 290.28 is renumbered. No comments were received on this section.

Section 290.26 Are Previously Approved Tribal Revenue Allocation Plans, Revisions or Amendments Subject to Review in Accordance With 25 CFR Part 290.

A new section 290.26 is added in response to the comments requesting clarification as to whether or not the submission of a revision or amendment to the tribal revenue allocation plan would necessitate the review of the entire tribal revenue allocation plan or just that portion being revised or amended.



**Executive Order 12866**  
OMB has determined that this rule is significant. OMB’s guidance on E.O. 12866 requires that a cost-benefit analysis be done for significant rules and that it contain three elements. These elements are a statement of record, an examination of alternative approaches, and an analysis of costs and benefits. Because of the nature of IGRA and this rule, the usual economic analysis required by E.O. 12866 is neither appropriate nor needed. The intent of E.O. 12866 is to provide decision makers with appropriate information to determine that a regulatory action imposing costs and yielding benefits, or otherwise having the effects sought by authorizing legislation, is both needed and is economically justified. Whereas many regulatory actions intervene in the economic system by prohibiting or requiring certain actions, IGRA and this rule do neither. Instead, they allow tribes to voluntarily allocate gaming revenues, including per capita payments to tribal members. This rule does nothing to either increase or decrease the revenues from gaming operations. It allows tribes to reallocate those revenues if they choose to do so. Tribes wishing to allocate gaming revenues as allowed by IGRA will incur only the minimal administrative cost of preparing and implementing the Allocation Plan required by the rule and IGRA. The Secretary of the Interior and Federal employees to whom the Secretary’s authorities under IGRA are or will be delegated may also incur minimal administrative cost in implementing the rule. The actual allocations from tribes to individual members do not result in costs or benefits as they are defined for purposes of the economic analysis required by E.O. 12866. These allocations are transfer payments rather than expenditures. Transfer payments, in themselves, do not cause the sort of resource allocations that give rise to costs and benefits. In this regard, per capita allocations of gaming revenues are similar to Social Security payments to individuals. These regulations establish a method for the submission, review and approval of tribal revenue allocation plans in a timely manner. The tribal revenue allocation plans provide for the distribution of tribal gaming revenue for tribal use and allow for per capita payments to tribal members for private use. The IGRA, Section 2710 (b)(2)(B) requires that net gaming revenues from any tribal gaming are not to be used for purposes other than, (i) to fund tribal government operations or programs, (ii) to provide for the general welfare of the Indian tribe and its members; (iii) to promote tribal economic development; (iv) to donate to charitable organizations; or (v) to help fund operations of local government agencies. Section 2710 (b)(3) of IGRA further provides that net revenues may be used to make per capita payments to members of the Indian tribe only if, (a) the Indian tribe has prepared a plan to allocate revenues for purposes to fund tribal government operations or programs; to provide for the general welfare of the Indian tribe and its members; to promote tribal economic development; to donate to charitable organizations; or to help fund operations of local government agencies, (b) the plan is approved by the Secretary as adequate, particularly for the purpose to fund tribal government operations and programs and to promote tribal economic development, (c) the interests of minors and other legally incompetent persons who are entitled to receive any of the per capita payments are disbursed to the parents or legal guardian of such minors or legal incompetents in such amounts as may be necessary for the health, education, or welfare of the minor or other legally incompetent person under a plan approved by the Secretary and the governing body of the Indian tribe; and (d) the per capita payments are subject to Federal taxation and tribes notify members of such tax liability when payments are made. The anticipated expenses or costs to the public or to the tribes who submit tribal revenue allocation plans will be minimal. The plans will provide for the distribution of net revenues from any tribal gaming for tribal use and per capita payments to tribal members for private use. In accordance with IGRA, each tribe must submit a tribal revenue allocation plan if it intends to make per capita payments to members of the Indian tribe. The regulations will establish a method for the submission, review and approval of a tribal revenue allocation plan.

If a tribe distributes per capita payments from net gaming revenues without an approved tribal revenue allocation plan, the DOJ or the NIGC may enforce the per capita requirements of IGRA. On December 21, 1992, the AS-IA issued Guidelines to Govern the Review and Approval of Tribal Revenue Allocation Plans. As outlined in IGRA, the Guidelines require that the Indian tribe must dedicate a significant share (or portion) of net gaming revenues for economic development and governmental purposes, that the interests of minors and other legally incompetent persons entitled to receive per capita payments are protected and preserved, and that per capita payments are subject to Federal income taxes. The AS-IA does not mandate the distribution of net gaming revenues to individual tribal members. However, it is essential that Indian tribes choosing to make per capita payments comply with the requirements of IGRA. The anticipated expenses or costs to the public or to the tribes who submit tribal revenue allocation plans will be minimal. The rule will not result in an annual gross effect on the economy of \$100 million or more, and therefore is not an economically significant regulatory action. The rule will allow any Indian tribe that is conducting gaming to prepare a tribal revenue allocation plan for the purpose of making per capita payments to tribal members from net gaming revenues. A tribal revenue allocation plan will not affect the total amount of net gaming revenue available to a particular tribe. Without the rule, tribes must use net gaming revenues in accordance with Section 2710 (b)(2)(B), solely for tribal group purposes. With the rule, tribes may distribute a portion of the net gaming revenue to tribal members in per capita payments, which can be spent for private purposes. The net revenue is determined by the success of the tribe’s gaming operation. Only a portion of the net gaming revenues may be used to make per capita payments to tribal members. Without a tribal revenue allocation plan, a tribe cannot make per capita payments to members of the tribe but must continue to spend all net gaming revenues for the benefit of the tribe. Currently, there are approximately 225 Indian tribes engaged in class II (bingo) and class III (casino) gaming. Although IGRA mandates how net gaming revenues are to be used by tribes, it does not require tribes to provide to anyone the amounts of net gaming revenues earned or distributed. The tribal revenue allocation plan will require that tribes provide the Secretary a percentage breakdown of the uses to which net gaming revenues are allocated. The total percentage must equal 100 percent. To some Indian tribes who were previously unsuccessful in attracting businesses to their remote lands, gaming revenues now serve as the primary economic development tool available. Gaming revenues have enabled tribes to meet and supplement Federal funding to meet the needs of their members, by providing funds for housing assistance, education assistance, medical assistance, etc.

**Regulatory Flexibility Act**  
The Department of the Interior certifies that this document will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.). Indian tribes are not considered to be small entities for purposes of this Act.

**Small Business Regulatory Enforcement Fairness Act (SBREFA)**  
This rule is not a major rule under 5 U.S.C. 804(2), the Small Business Regulatory Enforcement Fairness Act. This rule does not have an annual effect on the economy of \$100 million or more. Without this rule only the tribe may spend net gaming revenues in accordance with 25 U.S.C. § 2710(b)(2)(B) of IGRA. With this rule a method for the submission, review and approval of a tribal revenue allocation plan is established to allow a tribe to distribute per capita payments to its members from net gaming revenues. This rule will not cause a major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies or geographic regions and does not have significant adverse effects on competition, employment, investment, local government agencies or geographic regions and does not have significant adverse effects

on competition, employment, investment, productivity, innovation, or the ability to U.S.-based enterprises to compete with foreign-based enterprises. The rule will provide a method for the submission, review and approval of tribal revenue allocation plans to allow a tribe to distribute per capita payments to its members from some of its net gaming revenues in accordance with IGRA.

**Unfunded Mandates Reform Act**  
This rule does not impose an unfunded mandate on State, local or tribal governments or the private sector of more than \$100 million per year. The rule does not have a significant or unique effect on State, local, or tribal government or the private sector. A statement containing the information required by the Unfunded Mandates Reform Act (2 U.S.C. 1531, et seq.) is not required because only Indian tribes that conduct gaming activities and choose to distribute per capita payments from net gaming revenues to its members are required to submit tribal revenue allocation plans for review and approval in accordance with IGRA. Indian tribes that conduct gaming activities and who choose not to distribute per capita payments from net gaming revenues to its members are not required to submit a tribal revenue allocation plan to utilize net gaming revenues. As an alternative to the establishment of regulations, the AS-IA issued Guidelines on December 21, 1992, to govern the review and approval of Tribal Revenue Allocation Plans. As outlined in IGRA, the guidelines require that the Indian tribe must dedicate a significant share (or portion) of net gaming revenues for economic development and governmental purposes, that the interests of minors and other legally incompetent persons entitled to receive per capita payments must be protected and preserved, and that per capita payments are subject to Federal income taxes. The AS-IA does not mandate the distribution of net gaming revenues to individual tribal members. However, it is essential that Indian tribes choosing to make per capita payments comply with the requirements of IGRA.

**Takings (E.O. 12630)**  
The Department has determined that this rule does not have significant “takings” implications. The rule does not pertain to “taking” of private property interests, nor does it impact private property.

**Federalism (E.O. 12612)**  
The Department has determined that this rule does not have significant Federalism effects because it pertains solely to Federal-tribal relations and will not interfere with the roles, rights and responsibilities of States.

**Civil Justice Reform (E.O. 12988)**  
The Department has certified to OMB that these regulations meet the applicable standards provided in sections 3(a) and 3(b)(2) of Executive Order (E.O.) 12988.

**National Environmental Policy Act of 1969 (NEPA) Statement**  
The Department has determined that this rule does not constitute a major Federal action significantly affecting the quality of the human environment and that no detailed statement is required pursuant to NEPA.

**Paperwork Reduction Act**  
The Office of Management and Budget has reviewed and approved the information collections contained in this rule and assigned them approval number 1076–0152. The proposed rule was published on June 7, 1996, 61 FR 29044, and solicited comments on the information collection. The OMB expressed a concern related to the proposed rule §§ 290.11 (b)(3) and (b)(4) [renumbered §§ 290.12 (b)(2) and (b)(3)] indicating that these sections were open ended and needed more specific information. In particular, (3) OMB indicated the rule should outline specific requirements the Secretary must review as required by IGRA and (4) OMB questioned whether guidance is submitted to field personnel and/or public.  
Response: Section 290.11(b)(3) is renumbered as § 290.12(b)(2) and is amended to read: “It must contain detailed information to allow the ABO to determine that it complies with this section and IGRA particularly regarding funding for tribal governmental operations or programs and for promoting tribal economic development.” Section 290.11(b)(4) is renumbered § 290.12(b)(3) and amended to state that because IGRA requires the per capita payments to be disbursed to the parents or legal guardians of such minors or legal incompetents in such amounts as necessary for the health, education, or welfare, of the minor or other legally incompetent, it is up to the tribe to establish a method for the accountability of the funds. These concerns have been addressed in the rule and are reflected in the Paperwork Reduction Act submission. Another comment questioned the accuracy of the Department’s estimate of the burden of the proposed collection of information. No action was taken on this comment. The comment did not address why the cost or hour burden is questioned. Consultation from tribal representatives was obtained to determine the estimated burden of the collection of information. Sections 290.12, 290.17, 290.24 and 290.26 have been amended and contain information collection requirements. BIA invites the public to comment on the accuracy of the burden estimate and to provide suggestions for reducing the burden. Please submit your comments to the Office of Information and Regulatory Affairs, OMB, Attention: Desk Officer for the Department of the Interior, OMB Control Number 1076–0152, Washington, DC, 20503, and to the Director, Office of Indian Gaming Management, Bureau of Indian Affairs, 1849 C Street NW, MS 2070-MIB, Washington, DC 20240. BIA needs this information to ensure that Tribal Revenue Allocation Plans include assurances that certain statutory requirements are met, a breakdown of the specific uses to which net gaming revenues will be allocated, eligibility requirements for participation, tax liability notification and the assurance of the protection and preservation of the per capita shares of minors and legal incompetents. BIA will use this information to ensure that net gaming revenues are used: (1) to fund tribal government operations and programs; (2) to provide for the general welfare of the Indian tribe and its members; (3) to promote tribal economic development; (4) to donate to charitable organizations; and (5) to fund operations of local government agencies. The likely respondents to this collection are Indian tribes, bands or groups. The estimated annual number of respondents is 50 with collections obtained periodically. The total burden for this collection of information is estimated to average 75–100 hours per response, for 5,000 total hours per year, including the time for reviewing instructions, searching existing data resources, gathering and maintaining the data needed, and completing and reviewing the submission. Responses to the collection of information are mandatory in order to receive benefits.  
The Paperwork Reduction Act of 1995 requires us to tell you that a Federal Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

**Drafting Information**  
The primary author of this document is Nancy Pierskalla, Management Analyst, Office of Indian Gaming Management, Bureau of Indian Affairs, Department of the Interior.

**List of Subjects in 25 CFR Part 290**  
Gambling, Grant programs—business, Grant programs—Indians, Indians—business and finance, Indians—gaming. For the reasons given in the preamble, part 290 is added to Chapter I of Title 25 of the Code of Federal Regulations as set forth below.



PART 290—TRIBAL REVENUE ALLOCATION PLANS

- Sec.
- 290.1 Purpose.
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- 290.14 Who can share in a per capita payment?
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- 290.16 Can the per capita payments of minors and legal incompetents be deposited into accounts held by BIA or OTFM?
- 290.17 What documents must the Indian tribe include with the tribal revenue allocation plan?
- 290.18 Where should the Indian tribe submit the tribal revenue allocation plan?
- 290.19 How long will the ABO take to review and approve the tribal revenue allocation plan?
- 290.20 When will the ABO disapprove a tribal revenue allocation plan?
- 290.21 May an Indian tribe appeal the ABO’s decision?
- 290.22 How does the Indian tribe and its members ensure compliance with its tribal revenue allocation plan?
- 290.23 How does the Indian tribe resolve disputes arising from per capita payments to individual members or identified groups of members?
- 290.24 Do revisions/amendments to a tribal revenue allocation plan require approval?
- 290.25 What is the liability of the United States under this part?
- 290.26 Are previously approved tribal revenue allocation plans, revisions or amendments subject to review in accordance with 25 CFR part 290?

Authority: 5 U.S.C. 301; 25 U.S.C. 2, 9, and 2710.

§ 290.1 Purpose.  
This part contains procedures for submitting, reviewing, and approving tribal revenue allocation plans for distributing net gaming revenues from tribal gaming activities. It applies to review of tribal revenue allocation plans adopted under IGRA.

§ 290.2 Definitions.  
Appropriate Bureau official (ABO) means the Bureau official with delegated authority to approve tribal revenue allocation plans.  
IGRA means the Indian Gaming Regulatory Act of 1988 (Public Law 100–497) 102 Stat. 2467 dated October 17, 1988, (Codified at 25 U.S.C. 2701– 2721(1988)) and any amendments.  
Indian Tribe means any Indian tribe, band, nation, or other organized group or community of Indians that the Secretary recognizes as:  
(1) Eligible for the special programs and services provided by the United States to Indians because of their status as Indians; and  
(2) Having powers of self-government.  
Legal incompetent means an individual who is eligible to participate in a per capita payment and who has been declared to be under a legal disability, other than being a minor, by a court of competent jurisdiction, including tribal justice systems or as established by the tribe.  
Member of an Indian tribe means an individual who meets the requirements established by applicable tribal law for enrollment in the tribe and  
(1) Is listed on the tribal rolls of that tribe if such rolls are kept or  
(2) Is recognized as a member by the tribal governing body if tribal rolls are not kept.  
Minor means an individual who is eligible to participate in a per capita payment and who has not reached the age of 18 years.  
Per capita payment means the distribution of money or other thing of value to all members of the tribe, or to identified groups of members, which is paid directly from the net revenues of any tribal gaming activity. This definition does not apply to payments which have been set aside by the tribe for special purposes or programs, such as payments made for social welfare, medical assistance, education, housing or other similar, specifically identified needs.  
Resolution means the formal document in which the tribal governing body expresses its legislative will in accordance with applicable tribal law.  
Secretary means the Secretary of the Interior or his/her authorized representative.  
Superintendent means the official or other designated representative of the BIA in charge of the field office which has immediate administrative responsibility for the affairs of the tribe for which a tribal revenue allocation plan is prepared.  
Tribal governing body means the governing body of an Indian tribe recognized by the Secretary.  
Tribal revenue allocation plan or allocation plan means the document submitted by an Indian tribe that provides for distributing net gaming revenues.  
You or your means the Indian tribe.

§ 290.3 Information collection.  
The information collection requirements contained in §§ 290.12, 290.17, 290.24 and 290.26 have been approved by the OMB under the Paperwork Reduction Act of 1995, 44 U.S.C. 3507(d), and assigned clearance number 1076–0152.

§ 290.4 What is a tribal revenue allocation plan?  
It is the document you must submit that describes how you will allocate net gaming revenues.

§ 290.5 Who approves tribal revenue allocation plans?  
The ABO will review and approve tribal revenue allocation plans for compliance with IGRA.

§ 290.6 Who must submit a tribal revenue allocation plan?  
Any Indian tribe that intends to make a per capita payment from net gaming revenues must submit one.

§ 290.7 Must an Indian tribe have a tribal revenue allocation plan if it is not making per capita payments?  
No, if you do not make per capita payments, you do not need to submit a tribal revenue allocation plan.

§ 290.8 Do Indian tribes have to make per capita payments from net gaming revenues to tribal members?  
No. You do not have to make per capita payments.

§ 290.9 How may an Indian tribe use net gaming revenues if it does not have an approved tribal revenue allocation plan?  
Without an approved tribal revenue allocation plan, you may use net gaming revenues to fund tribal government operations or programs; to provide for the general welfare of your tribe and its members; to promote tribal economic development; to donate to charitable organizations; or to help fund operations of local government agencies.

§ 290.10 Is an Indian tribe in violation of IGRA if it makes per capita payments to its members from net gaming revenues without an approved tribal revenue allocation plan?  
Yes, you are in violation of IGRA if you make per capita payments to your tribal members from net gaming revenues without an approved tribal revenue allocation plan. If you refuse to comply, the DOJ or NIGC may enforce the per capita requirements of IGRA.

§ 290.11 May an Indian tribe distribute per capita payments from net gaming revenues derived from either Class II or Class III gaming without a tribal revenue allocation plan?  
No, IGRA requires that you have an approved tribal revenue allocation plan.

§ 290.12 What information must the tribal revenue allocation plan contain?  
(a) You must prepare a tribal revenue allocation plan that includes a percentage breakdown of the uses for which you will allocate net gaming revenues. The percentage breakdown must total 100 percent.  
(b) The tribal revenue allocation plan must meet the following criteria:  
(1) It must reserve an adequate portion of net gaming revenues from the tribal gaming activity for one or more of the following purposes:  
(i) To fund tribal government operations or programs;  
(ii) To provide for the general welfare of the tribe or its members;  
(iii) To promote tribal economic development;  
(iv) To donate to charitable organizations; or  
(v) To help fund operations of local government.  
(2) It must contain detailed information to allow the ABO to determine that it complies with this section and IGRA particularly regarding funding for tribal governmental operations or programs and for promoting tribal economic development.  
(3) It must protect and preserve the interests of minors and other legally incompetent persons who are entitled to receive per capita payments by:  
(i) Ensuring that tribes make per capita payments for eligible minors or incompetents to the parents or legal guardians of these minors or incompetents at times and in such amounts as necessary for the health, education, or welfare of the minor or incompetent;  
(ii) Establishing criteria for withdrawal of the funds, acceptable proof and/or receipts for accountability of the expenditure of the funds and the circumstances for denial of the withdrawal of the minors’ and legal incompetents’ per capita payments by the parent or legal guardian; and  
(iii) Establishing a process, system, or forum for dispute resolution.  
(4) It must describe how you will notify members of the tax liability for per capita payments and how you will withhold taxes for all recipients in accordance with IRS regulations in 26 CFR part 31.  
(5) It must authorize the distribution of per capita payments to members according to specific eligibility requirements and must utilize or establish a tribal court system, forum or administrative process for resolution of disputes concerning the allocation of net gaming revenues and the distribution of per capita payments.

§ 290.13 Under what conditions may an Indian tribe distribute per capita payments?  
You may make per capita payments only after the ABO approves your tribal revenue allocation plan.

§ 290.14 Who can share in a per capita payment?  
(a) You must establish your own criteria for determining whether all members or identified groups of members are eligible for per capita payments.  
(b) If the tribal revenue allocation plan calls for distributing per capita payments to an identified group of members rather than to all members, you must justify limiting this payment to the identified group of members. You must make sure that:  
(1) The distinction between members eligible to receive payments and members ineligible to receive payments is reasonable and not arbitrary;  
(2) The distinction does not discriminate or otherwise violate the Indian Civil Rights Act; and  
(3) The justification complies with applicable tribal law.

§ 290.15 Must the Indian tribe establish trust accounts with financial institutions for minors and legal incompetents?  
No. The tribe may establish trust accounts with financial institutions but should explore investment options to structure the accounts to the benefit of their members while ensuring compliance with IGRA and this part.

§ 290.16 Can the per capita payments of minors and legal incompetents be deposited into accounts held by BIA or OTFM?  
No. The Secretary will not accept any deposits of payments or funds derived from net gaming revenues to any account held by BIA or OTFM.

§ 290.17 What documents must the Indian tribe include with the tribal revenue allocation plan?  
You must include:  
(a) A written request for approval of the tribal revenue allocation plan; and  
(b) A tribal resolution or other document, including the date and place of adoption and the result of any vote taken, that certifies you have adopted the tribal revenue allocation plan in accordance with applicable tribal law.

§ 290.18 Where should the Indian tribe submit the tribal revenue allocation plan?  
You must submit your tribal revenue allocation plan to your respective Superintendent. The Superintendent will review the tribal revenue allocation plan to make sure it has been properly adopted in accordance with applicable tribal law. The Superintendent will then transmit the tribal revenue allocation plan promptly to the ABO.

§ 290.19 How long will the ABO take to review and approve the tribal revenue allocation plan?

The ABO must review and act on your tribal revenue allocation plan within 60 days of receiving it. A tribal revenue allocation plan is not effective without the ABO’s written approval.

(a) If the tribal revenue allocation plan conforms with this part and the IGRA, the ABO must approve it.

(b) If the tribal revenue allocation plan does not conform with this part and the IGRA, the ABO will send you a written notice that:

(1) Explains why the plan doesn’t conform to this part of the IGRA; and

(2) Tells you how to bring the plan into conformance.

(c) If the ABO doesn’t act within 60 days, you can appeal the inaction under 25 CFR part 2. A tribal revenue allocation plan is not effective without the express written approval of the ABO.

§ 290.20 When will the ABO disapprove a tribal revenue allocation plan?

The ABO will not approve any tribal revenue allocation plan for distribution of net gaming revenues from a tribal gaming activity if:

(a) The tribal revenue allocation plan is inadequate, particularly with respect to the requirements in § 290.12 and IGRA, and you fail to bring it into compliance;

(b) The tribal revenue allocation plan is not adopted in accordance with applicable tribal law;

(c) The tribal revenue allocation plan does not include a reasonable justification for limiting per capita payments to certain groups of members; or

(d) The tribal revenue allocation plan violates the Indian Civil Rights Act of 1968, any other provision of Federal law, or the United States’ trust obligations.

§ 290.21 May an Indian tribe appeal the ABO’s decision?

Yes, you may appeal the ABO’s decision in accordance with the regulations at 25 CFR part 2.

(a) If the ABO approved your tribal revenue allocation plan, revisions, or amendments before April 17, 2000, you need not resubmit it for approval.

(b) (b) If you are amending or revising a previously approved allocation plan, you must submit the amended or revised plan to the ABO for review and approval under this part.

Dated: October 29, 1999.  
Kevin Gover  
Assistant Secretary—Indian Affairs.  
[FR Doc. 00–6603 Filed 3–16–00; 8:45 am]

§ 290.22 How does the Indian tribe ensure compliance with its tribal revenue allocation plan?

You must utilize or establish a tribal court system, forum or administrative process in the tribal revenue allocation plan for reviewing expenditures of net gaming revenues and explain how you will correct deficiencies.

§ 290.23 How does the Indian tribe resolve disputes arising from per capita payments to individual members or identified groups of members?

You must utilize or establish a tribal court system, forum or administrative process for resolving disputes arising from the allocation of net gaming revenue and the distribution of per capita payments.

§ 290.24 Do revisions/amendments to a tribal revenue allocation plan require approval?

Yes, revisions/amendments to a tribal revenue allocation plan must be submitted to the ABO for approval to ensure that they comply with § 290.12 and IGRA.

§ 290.25 What is the liability of the United States under this part?

The United States is not liable for the manner in which a tribe distributes funds from net gaming revenues.

§ 290.26 Are previously approved tribal revenue allocation plans, revisions, or amendments subject to review in accordance with this part?

No. This part applies only to tribal revenue allocation plans, revisions, or amendments submitted for approval after April 17, 2000.

BILLING CODE 4310–02–P





LRBOI ADDRESSES:  
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Family Services  
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Grant Department  
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Office hrs: 8am- 5pm Monday-Friday  
Office Phone: 231-398-6624  
Fax: 231-723-8761  
jgrant@lrboi.com

Housing Department  
Location  
Administration Building  
1762 US South 31  
South Manistee, Michigan 49660  
Office Phone: 231-398-6730  
Fax: 231-398-9680

Housing Director:  
Chuck Fisher  
Office hrs: 8am- 5pm Monday-Friday  
Office phone: 231-398-6722  
Fax: 231-398-9680  
cfisher@lrboi.com

Human Resource Department  
Location  
Administration Building  
1762 US South 31  
South Manistee, Michigan 49660  
Office Phone: 231-398-6704  
Fax: 231-398-9101

Human Resource Director  
Tina Vaquera  
Office hrs: 8am- 5pm Monday-Friday  
Office Phone: 231-398-6706  
Fax: 231-398-9101  
tvaquera@lrboi.com

Administrative Assistant:  
Alyce Giltz  
Office hrs: 8am- 5pm Monday-Friday  
Office Phone: 231-398-6704  
Fax: 231-398-9101  
agiltz@lrboi.com

Language  
Location  
Newland Building  
3031 Domres Road  
Manistee, Michigan 49660  
Language Hotline: 1-877-789-0993  
Fax: 231-398-9372

Language Coordinator  
Kenny Pheasant  
Office hrs: 8am- 5pm Monday-Friday  
Cell 231-690-3508  
Fax: 398-9372  
kpheasant@lrboi.com

Members Assistance  
Location  
Administration Building  
1762 US South 31  
South Manistee, Michigan 49660  
Office Phone: 231-398-6733  
Fax: 231-398-6748



Members’ Assistance Director  
Lee Ivinson  
Office hrs: 8am- 5pm Monday-Friday  
Office Phone: 231-398-6718  
Fax: 231-398-6748  
livinson@lrboi.com

MIS Department  
Location  
Bank Building  
375 River Street  
Manistee, Michigan 49660  
Office Phone: 231-398-6809  
Fax: 231-398-6861

Interim Director  
Ryan Nash  
Office hrs: 8am- 5pm Monday-Friday  
Office Phone: 231-398-6861  
Fax: 231-398-6861  
rnash@lrboi.com

Natural Resources  
Location  
159 Brickyard Road  
Manistee, Michigan 49660  
Office Phone: 231-723-1594  
Fax: 231-723-8873

Natural Resources Director  
Bob Hardenburgh  
Office hrs: 8am- 5pm Monday-Friday  
Office Phone: 231-723-1532  
toll free: 866-723-1594  
Fax: 231-723-8873  
bhardenburg@lrboi.com

Planning Department  
Location  
Bank Building  
375 River Street  
Manistee, Michigan 49660  
Office Phone: 231-398-6810  
Fax: 231-723-8020

Strategic Planning Coordinator  
Daniel Shepard  
Office hrs: 8am- 5pm Monday-Friday  
Office Phone: 231-398-6810  
Fax: 231-723-8020  
dshepard@lrboi.com

Public Information Department  
Location  
Bank Building  
375 River Street  
Manistee, Michigan 49660  
Office Phone: 231-398-6840  
Fax: 231-723-8020

Public Information Director  
Glenn Zaring  
Office hrs: 8am- 5pm Monday-Friday  
Office Phone: 231-398-6872  
Fax: 231-723-8020  
gzaring@lrboi.com

Public Information Specialist:  
Emily Drouin  
Office hrs: 8am- 5pm Monday-Friday  
Office Phone: 231-398-6864  
Fax: 231-723-8020  
edrouin@lrboi.com

Public Safety  
Location

Newland Building  
3031 Domres Road  
Manistee, Michigan 49660  
Office Phone: 231-398-3413  
Fax: 231-398-3405

Public Safety Director  
Joe LaPorte  
Office hrs: 8am- 5pm Monday-Friday  
Office Phone: 231-398-3407  
Fax: 231-398-3405  
jlaporte@lrboi.com

Tribal Historical Preservation Department  
Location  
Newland Building  
3031 Domres Road  
Manistee, Michigan 49660  
Office Phone: 231-398-9383  
Fax: 231-398-9372

Tribal Historic Preservation Director  
Jay Sam  
Office hrs: 8am- 5pm Monday-Friday  
Office Phone: 231-398-9363  
Fax: 231-398-9372  
jsam@lrboi.com

Tribal Member Legal Assistance  
Location  
Bank Building  
375 River Street  
Manistee, Michigan 49660  
Office Phone: 231-723-8288  
Fax: 231-723-8020

Legal Assistance Attorney  
Nancy Kida  
Office hrs: 8am- 5pm Thursday- Friday  
Office Phone: 231-398-6820  
Fax: 231-723-8532  
nkida@lrboi.com

Tribal Council  
Location  
Bank Building  
375 River Street  
Manistee, Michigan 49660  
Office Phone: 231-398-6845  
Fax: 231-398-0674

Council Member  
Tammy Kleeman  
Office hrs: 8am- 5pm Monday- Friday  
Office Phones: 231-398-6835  
Fax: 231-398-0674  
tkleenman@lrboi.com

Council Member  
Lisa McCatty  
Office hrs: 8am- 5pm Monday - Friday  
Office Phone: 231-398-6719  
Fax: 231-398-0674  
lmccatty@lrboi.com

Council Member  
Brian Medacco  
Office hrs: 8am- 5pm Monday - Friday  
Office Phone: 231-398-6828  
Fax: 231-398-0674  
bmedacco@lrboi.com

Council Member  
Pamela Medahko  
Office hrs: 8am- 5pm Monday - Friday  
Office Phone: 231-398-6849  
Fax: 231-398-0674  
pmedahko@lrboi.com

Council Member (Speaker)  
Stephen Parsons  
Office hrs: 8am- 5pm Monday - Friday  
Office Phone: 231-398-6830  
Fax: 231-398-0674  
sparsons@lrboi.com

Council Member  
Elaine Porter  
Office hrs: 8am- 5pm Monday - Friday  
Office Phone: 231-398-6833  
Fax: 231-398-0674  
eporter@lrboi.com

Council Member  
Patricia Ruiter  
Office hrs: 8am- 5pm Monday- Friday  
Office Phone: 231-398-6831  
Fax: 231-398-0674  
pruiter@lrboi.com

Council Member (Recorder)  
Janine Sam  
Office hrs: 8am- 5pm Monday - Friday  
Office Phone: 231-398-6834  
Fax: 231-398-0674  
jmsam@lrboi.com

Council Member  
Israel Stone  
Office hrs: 8am- 5pm Monday- Friday  
Office Phone: 231-398-6807  
Fax: 231-398-0674  
istone@lrboi.com

Comptroller General  
Jason Verheek  
Office hrs: 8am- 5pm Monday - Friday  
Office Phone: 231-398-6844  
Fax: 231-398-0674  
jverheek@lrboi.com

Gaming Commission  
Location  
Interim Casino  
2840 Orchard hwy.  
Manistee, Michigan 49660

Director of Gaming & Regulatory  
Kelly Maser  
Office hrs: 8am- 5pm Thursday- Friday  
Office Phone: 231-723-7755  
Fax: 231-723-7788  
kmaser@lrboi.com



## SMALL BUSINESS DEVELOPMENT RESOURCE

Nita Guenthardt  
Economic Development Coordinator

Welcome to the third installment of business tips for LRB Entrepreneurs! The calls and questions you have been sending are great. This week I want to reaffirm other critical start-up steps in your planning process.

**BUSINESS STRUCTURE.** The importance of starting with the right structure will mean a lot when profits are building and taxes are due. It can also mean the difference of losing just your business or losing everything you have through a lawsuit or business downturn. On *michigan.gov* website you can review different business structures and procedures. For further questions, call me at 231-398-6806, Nita G. A few of the steps to take are:

### **Determine the type of business structure your organization will assume.**

To learn the advantages and disadvantages of various legal structures log on to *michigan.gov* business site or visit your library to learn the differences. You may also consult an attorney, accountant or business counselor or the LRB Business Development Center to help determine which business structure is best for you.

### **Have you followed the appropriate procedures to register your business name?**

There is no central agency where all businesses must register. Depending on the legal structure chosen, the business entity may be required to file with the local county clerk's office or the State of Michigan. In addition to checking with both agencies to determine if the name is available, it is also advisable to check state and federal trademark registrations and registered Internet domain names. To check on name availability for sole proprietorships and partnerships, contact the county clerk's office. To check name availability for corporations, limited liability companies or limited partnerships, contact the Bureau of Commercial Services, Corporation Division, Online Services, and Department of Consumer & Industry Services at (517) 241-6470 or at *.michigan.gov/cis/*.

An individual doing business as a sole proprietorship using a name other than his or her own name must file with the county clerk the name under which the person will do business, commonly referred to as a DBA (doing business as). A general partnership must file a certificate of co-partnership with the county clerk. Contact the local county clerk's office to check the availability of sole proprietorship and partnership names and to obtain required forms.

To create a corporation, limited partnership or limited liability company, contact the Bureau of Commercial Services, Corporation Division, of the Department of Consumer and Industry Services. To check name availability, you may call customer service at (517) 241-6470 or fax your request to (517) 334-8329. For information about filing requirements, please call (517) 241-6400. Forms may also be obtained via the Corporation Division website under Forms and Publications.

For information about how a corporation receives Subchapter S status, contact the Internal Revenue Service at (800) 829-3676 or visit their web site for specific forms and information.

### **Have you determined if the business or profession is subject to any special licensing or permit requirements?**

Some occupations, professions and business activities require certification or licensing. You may access the licensing, certification and permit information on-line at [http://www.michigan.gov/cis/016077-154-10557\\_1299200.html](http://www.michigan.gov/cis/016077-154-10557_1299200.html). Check with the county clerk and/or your city clerk to determine if any local licenses or registrations are required and obtain the necessary forms.

### **Have you registered for a federal Employer Identification Number - EIN?**

Generally, an EIN number is required by the Internal Revenue Service if:

1. The business will have employees; and/or
2. The business operates as a corporation or partnership.

If operating the business as a sole proprietorship and you answered no to the above questions, there is no need for an EIN number at this time. Taxes are reported by using your Social Security number. You may apply for an EIN either by faxing your SS-4 (Application for Employer Identification Number - EIN) to (859) 669-5760 or by calling (866) 816-2065. For more information, visit the IRS web site.

### **Have you registered with the IRS for payment of federal taxes?**

All businesses are required to pay taxes to the federal government. The legal structure, whether there are employees or one is self-employed, and the type of business determines which taxes apply and time-line of payment. Most businesses are required to make regular payments of estimated tax throughout the year. For more information, visit the IRS web site. If you have questions about determining your federal tax liability or your payment schedule, contact the IRS.

### **Have you registered with the Michigan Department of Treasury for payment of state taxes?**

Depending on the type of business conducted; whether or not there are employees; the amount of gross receipts; selling or leasing a product, etc., the business may be required to pay Michigan taxes. To determine your liability and to register for Michigan taxes, a Registration for Michigan Taxes form 518 is required to be completed and returned to the Michigan Department of Treasury. You may obtain form 518 and instructions for filing online. Be aware that individuals with income from sources other than wages may be required to make estimated tax payments on a quarterly basis to the Michigan Department of Treasury as well as federal tax authorities. Contact the Michigan Department of Treasury at (800) 367-6263 or (517) 636-4660 or access the forms and information online at <http://www.michigan.gov/treasury>.

### **Will the business hire employees?**

If employees are hired, there are responsibilities with both the state and federal government. NOTE: If the business is a corporation, anyone who performs services for the corporation or receives remuneration - including an "owner" - is considered an employee. There are many taxes, insurance and regulatory requirements of which one must be aware. Refer to the "Hiring Employees" section to learn more about an employer's obligations.

Have all environmental regulations been checked to ensure that the business will meet all air, water, and solid waste standards?

To ensure that the business meets all of the environmental regulations that apply to a specific type of business, contact the Michigan Department of Environmental Quality at (800) 662-9278 or access the environmental permit online at <http://www.michigan.gov/deq>



SMALL BUSINESS DEVELOPMENT RESOURCE - CONTINUED FROM P. 25  
**Are you purchasing an existing business? Be aware of hidden liabilities.**

As the purchaser of even a portion of a business, you may be held responsible for the previous owner’s liabilities, regardless of any contractual language to the contrary. As the purchaser of the business, you should make sure that the seller of the business provides proof that there are no hidden liabilities. The seller of the business should contact the Michigan Department of Treasury at (517) 636-5260 to obtain form 514 to request a Tax Clearance letter. As the purchaser of a business, it is wise to obtain a copy of this Tax Clearance letter from the seller prior to the closing date or signing any purchase agreements. Also, contact the Unemployment Agency at (800) 638-3994

**Has careful consideration been given to the business location and is the operation consistent with current zoning and building codes?**

Make sure the location that has been chosen is zoned appropriately for your type of business and that all state and local building codes and barrier free design rules are met. A certificate of occupancy is also required from the local government. Contact the local government authorities, including the building department, for pertinent information. Some inspections and alterations may be required to meet state and/or city codes. When operating a business out of your home, check with the city clerk’s office about a zoning variance.

**Have arrangements been made for utility service?**

Check with the utility companies to ensure prompt delivery of service and to obtain the cost of service extensions, the amount of any required deposits, and written price and supply agreements.

**Is the business adequately insured?**

Contact an insurance agent to determine the types of insurance the business should purchase. Shop around. Insurance rates and types of coverage vary greatly among insurance carriers. Contact the nearest Small Business Development Center for additional information or questions about starting a business.

*For more information on starting your own business, contact Nita Guenthardt at 231-398-6806*

APRIL IS SEXUAL ASSAULT AWARENESS MONTH

April is Sexual Assault Awareness Month, an opportunity to draw attention to sexual assault and to mobilize to end all forms of sexual abuse. Every year, the National Sexual Violence Resource Center (NSVRC) encourages nationwide involvement in raising awareness of sexual assault, and is the organizer of the Sexual Assault Awareness Month (SAAM). This year’s SAAM campaign has chosen April 5, 2005 as “A Day to End Sexual Violence”. Please join in the efforts by showing support by making a donation and wearing a teal colored ribbon on the 5th. (NWLA is collecting donation - see below)

SOME FACTS ON SEXUAL VIOLENCE (taken from NSVRC)  
Sexual violence is primarily a crime of power and control. It can impact all people, regardless of age, ethnicity, race or economic status. Although younger women represent the majority of victims, not all young women are at equal risk for sexual violence. Additionally, there are other populations with high rates of sexual victimization such as Native Americans, immigrants and the elderly that are often voiceless in society and marginalized from medical, legal and social services.  
\*In 8 out of 10 rapes cases, the victim knew the perpetrator  
\*Nearly 1 in 4 women may experience sexual violence by an intimate partner  
\*The cost of rape and sexual

assault, excluding child sexual assault, per criminal victimization is \$87,000 per year. For the victim, the average rape or attempted rape costs \$5,100 in tangible, out-of-pocket expenses  
\*1 in 4 girls and 1 in 6 boys will be sexually assaulted by the age of 18  
\*Many long-lasting physical symptoms and illness have been associated with sexual victimization including chronic pelvic pain; premenstrual syndrome; gastrointestinal disorders; and a variety of chronic pain disorders including headache, back pain, and facial pain  
\*Rape victims are more likely than non-victims to smoke cigarettes, overeat, drink alcohol, and are not likely to use seat belts  
\*In a study of elder female

sexual abuse victims, 81% of the abuse was perpetrated by the victims primary caregiver, and 78% by family members of which 39% were sons  
\*Each year, it is estimated 25,000 American women will become pregnant following an act of sexual violence. As any as 22,000 of those pregnancies could be prevented through the prompt use of emergency contraception  
\*There is at least a 50% likelihood that a woman will develop Post Traumatic Stress Disorder after being raped. Sexual assault is also closely associated with depression and anxiety disorders.  
  
*LEARN MORE:*  
*National Sexual Violence Resource Center – [www.nsvrc.org](http://www.nsvrc.org)*  
*Michigan Council Against Domestic and Sexual Violence – [www.mcadsv.org](http://www.mcadsv.org)*

Looking for “Firestarters” in our community to attend Firestarters Certification offered thru *White Bison*.

*What is a Firestarter?*

“Firestarter” refers to an individual who has the ability to envision the needs and potential ( fire or light) within a person or a community.

*What Firestarters do?*

Firestarters learn to facilitate the culturally appropriate Medicine Wheel and 12 Step Program in an intensive three day and three evening training designed to teach the individual how to conduct the video series and facilitation process for Native American people.

*Criteria for Firestarters:*

Individual must be sober for one year prior to training. Has experience in recovery ( Al-Anon, AA, Gamblers Anonymous, NA, etc). Has demonstrated recovery leadership. Is willing to do 12-step work. Is willing to work on them emotionally, mentally, physically, and spiritually. Is able to commit to participating in three training sessions (one each year for 3 yrs).

If interested in the Firestarter program please contact:

Julie Wolfe or Don Chartier at Be-Da-Bin Behavioral Health 231.398.6604

ANISHINAABE CREATION STORY



Lynn Piwonski, Kenny Pheasant, and Corinna Kline - Miigwetch.

On Thursday, March 3rd, Kenny Pheasant honored the Tribal Member Casino employees by sharing the Anishinaabe Creation Story with them. Kenny was given these teachings and the responsibility of carrying the story by his elders on Manitoulin Island, his home land, in Ontario, Canada.

The event took place at the Casino’s Three Fires Conference Center. Mr. Pheasant, although conscientious of the importance and Sacred nature of the teaching, was himself surprised by the emotion and power that emanated from his presentation. All that attended were given important teachings as to the origins of the Anishinaabe language and the culturally significant lessons that are held in some words and expressions.

It was a life-altering experience that, I am certain, none of us will forget. Kenny Pheasant is a very well known language teacher.

Chi Migwetch to Kenny and to the Casino employees that made it all possible!  
- Emily C. Drouin, Public Information Specialist

ARTRAIN -  
CONTINUED FROM P. 17  
A major boost in helping to fund the Artrain USA visit has come from the Little River Band of Ottawa Indians located in nearby Manistee, Michigan. The tribe donated \$10,000, roughly half the local cost for the Artrain visit.

“The tribe is pleased to be able to help with this project because of the way that Artrain USA helps promote understanding of the first people’s culture in a very contemporary way,” said Glenn Zaring, Public Information Director for the tribe. Zaring added: “The exhibit also gives residents an opportunity to learn about our tribe’s history and involvement with this region. A region that we have always called home.”  
Artrain USA will pull into town on Saturday, May 28. Following opening ceremonies featuring Native American music and dance, the rolling art museum will officially open on Sunday, May 29.  
On Sunday and Monday, May 29 and 30, the museum train is open to all. Special transportation arrangements are being

made by the Ludington Mass Transit Authority for senior citizen residents of local elder care facilities who wish to attend the event.  
Two days set aside exclusively for school children on May 31 and June 1, with tours and special educational programs. Educational activities will be focused on 4th and 5th grade school children. Those interested in bringing groups in that age range to the Ludington Artrain USA event should contact Jim Pinkerton at (awaiting word from Jim regarding how he wants to be contacted).  
Carrom Festival Highlights Community-Wide Events  
The arts council and downtown Ludington businesses are planning related activities to make the Artrain USA visit an “art-full” community-wide event to encourage participation from throughout the region.  
One of those activities is a Carrom Festival to be launched simultaneously with the Artrain USA arrival. The unique festival commemorates the history of the globally popular board games that have been made continuously in Ludington for more than a century.

Displays will feature historical Carrom boards created over that period of time, as well as Carrom boards turned into works of art by local artists. The summer-long event will also feature Carrom competitions.  
In addition, local art galleries are planning special exhibitions during the Artrain USA visit. Organizers are also considering a companion downtown art exhibit and a children’s art display. The steering committee is working with the local transit authority to arrange shuttle service between downtown events and the Artrain site.  
“Over the Memorial Day weekend, Ludington is offering something for everyone, and that’s just the start of our summer season,” said Bill Carpenter, president of the Ludington Area Arts Council that is coordinating both the visit of Artrain USA and the Carrom Festival.  
“We welcome donations from individuals and businesses to help cover expenses for this exciting cultural opportunity. This is truly a community

event, and includes in addition to the Little River Band of Ottawa Indians many Ludington area leaders lending their time and expertise to make the Artrain USA visit a successful activity for our local area.”  
###  
\* AAA survey of destinations rated by drivers in Michigan.  
  
Contacts:  
Ludington Area Arts Council president, Bill Carpenter at 231-843-9792 (BillCB747@aol.com)  
Artrain USA steering committee co-chairs, Derik Heimerdinger at 231/843-6361 and Sally Richards at 231/845-8100 (reader@t-one.net)  
Glenn Zaring, public information director, Little River Band of Ottawa Indians, at 231/723-8288 (gzaring@lrboi.com)  
Bill Kerans, Artrain USA promotions committee, at 231/845-3658 (wkerans@hotmail.com)  
Artrain USA: 800/ART-1971; www.ArtrainUSA.org

Currents Submission Coupon

Please fill out the following coupon, cut it out, and mail it to; Little River Currents 375 River St., Manistee, MI 49660

Dedications we receive will be published in the next available newspaper issue.

Name: Tribal ID #:

Daytime Phone #:

Birthday/Belated Birthday

Anniversary/Wedding

Birth Announcement

School/College Achievement

Other

Write your dedication text out completely, for example: “Happy 60th Anniversary, Aunt Mary and Uncle Harry, April 1, 2004. From your family and friends.” Dedications are printed EXACTLY as printed in the box below.



Frequently Asked Questions  
*F.A.Q.'s*

In this new column, questions which come up regarding tribal operations or procedures will be answered by departmental Directors. Watch each month for new topics.

**How do we get the Little River Currents to cover events?**

(Public Information Director, Glenn Zaring) “We have many events occurring within the Little River Band of Ottawa Indians and have limited resources to cover them for the newspaper. The best way to insure coverage of your event is to let us know quite a bit in advance of the event so that we can get it on our schedule. If you are planning an event that will occur in three or four months, let us know as soon as the date and location is set so that we can be there. If you call us a few days before the event, we cannot insure that we will have someone there. We’ll still make every effort to accommodate your event, but cannot guarantee coverage. You can contact us by mail at 375 River Street, Manistee, MI 49660; by phone at 231.398.6840; by fax at 231.723.8020 or me personally by e-mail at [gzaring@lrboi.com](mailto:gzaring@lrboi.com). We want to cover your event...we just need to get it into our schedule!”

**Why is the Accounting Department now referred to as the Finance Division?**

The term Accounting Department normally designates the functions related solely to accounting tasks such as accounts receivable, accounts payable, reporting and possibly payroll. However, within the Little River Band of Ottawa Indians tribal government a wide range of functions are handled by the employees in this area that includes accounting, grant management, risk and insurance oversight, purchasing, tax agreement implementation and compliance programs, debt management, property management, budget preparation and coordination, safety programs, investments, and audit preparation. Therefore we still have an Accounting Department but it is one of many functions that are handled within the Finance Division

CALENDAR OF EVENTS

MAY 2005 CALENDAR OF EVENTS

- May 6~15  
Women Festival  
Manistee, Michigan  
LRBOI participation includes many events at the Three Fires Conference Center, Little River Casino, Art exhibits and demonstrations and lectures.  
For more information, contact the Manistee County Convention and Visitors Bureau at 1.877.626.4783 or locally in Manistee County at 231.398.9355.
- May 7  
Warrior Society  
Manistee, Michigan LRBOI Community Center meetings are held the first Saturday of each month 10 am. For further information please call Al Medacco @ 231-464-5052.
- May 7  
Elders Meetings  
Manistee, Michigan Tribal Community Center contact June Sam 231-398-6709
- May 29~30  
Artrain USA - Ludington, Michigan  
Ludington Area Arts Council, Artrain USA Ludington Steering Committee  
Ludington Area Arts Council president, Bill Carpenter at 231-843-9792 ([BillCB747@aol.com](mailto:BillCB747@aol.com))  
Artrain USA steering committee co-chairs, Derik Heimerdinger at 231/843-6361 and Sally Richards at 231/845-8100 ([reader@t-one.net](mailto:reader@t-one.net))  
Glenn Zaring, public information director, Little River Band of Ottawa Indians, at 231/723-8288 ([gzaring@lrboi.com](mailto:gzaring@lrboi.com))  
Bill Kerans, Artrain USA promotions committee, at 231-845-3658 ([wkerans@hotmail.com](mailto:wkerans@hotmail.com))  
Artrain USA: 800/ART-1971; [www.ArtrainUSA.org](http://www.ArtrainUSA.org)

CULTURAL PRESERVATION  
COMMITTEE MEETINGS

- May 3, 2005  
Cultural Preservation Committee (Little River Band of Ottawa Indians)  
Manistee, Michigan 375 River Street / Bank Building-Third Floor, Dome Room 3:30 pm  
Public is welcome to attend. For more information, please contact Tribal Historic Preservation at 231-398-9363 or email [cpc@lrboi.com](mailto:cpc@lrboi.com).
- May10, 2005  
Cultural Preservation Committee (Little River Band of Ottawa Indians)  
Manistee, Michigan 375 River Street / Bank Building-Third Floor, Dome Room 3:30 pm  
Public is welcome to attend. For more information, please contact Tribal Historic Preservation at 231-398-9363 or email [cpc@lrboi.com](mailto:cpc@lrboi.com).
- May 17, 2005  
Cultural Preservation Committee (Little River Band of Ottawa Indians)  
Manistee, Michigan 375 River Street / Bank Building-Third Floor, Dome Room 3:30 pm  
Public is welcome to attend. For more information, please contact Tribal Historic Preservation at 231-398-9363 or email [cpc@lrboi.com](mailto:cpc@lrboi.com).
- May 24, 2005  
Cultural Preservation Committee (Little River Band of Ottawa Indians)  
Manistee, Michigan 375 River Street / Bank Building-Third Floor, Dome Room 3:30 pm  
Public is welcome to attend. For more information, please contact Tribal Historic Preservation at 231-398-9363 or email [cpc@lrboi.com](mailto:cpc@lrboi.com).

- May 31, 2005  
Cultural Preservation Committee (Little River Band of Ottawa Indians)  
Manistee, Michigan 375 River Street / Bank Building-Third Floor, Dome Room 3:30 pm  
Public is welcome to attend. For more information, please contact Tribal Historic Preservation at 231-398-9363 or email [cpc@lrboi.com](mailto:cpc@lrboi.com).

ALL DEPARTMENTS PLEASE BE ADVISED THAT IN ORDER TO INFORM OUR MEMBERSHIP OF UPCOMING EVENTS, YOUR INFORMATION MUST BE SUBMITTED BY THE FIRST DAY OF EVERY MONTH.

CALENDAR EVENTS SHOULD BE POSTED AT LEAST 6 WEEKS PRIOR TO THE DATE OF THE EVENT AS MOST MEMBERS DO NOT RECEIVE THE “CURRENTS” UNTIL THE END OF THE MONTH.

POSTINGS CAN BE SENT TO:

ANGELA EAGLE  
PUBLIC INFORMATION DPT.  
375 RIVER ST  
MANISTEE, MI 49660  
OR [AEAGLE@LRBOI.COM](mailto:AEAGLE@LRBOI.COM)

“Attention Tribal Members!”

*If you are interested in serving on one of the committees or commissions we would like to hear from you. Please send a letter of interest to the attention of Ogema Lee Sprague. If you have questions, please contact Mary Thomas at 231.398.6824.”*  
- Glenn Zaring, Public Information Department

Members Assistance Department

Programs available to the members of the Little River Band of Ottawa Indians



**\*Low Income Energy Assistance Program**

This program provides assistance to members who meet the eligibility requirements and are experiencing an energy crisis. Assistance is available in all states.  
-Amount of assistance: \$200.00 per year; per household.

**\*LIHEAP**

**Low Income Home Energy Assistance Program (Heat Source - Natural Gas, Propane, Electric, Coal, Fuel Oil and Wood)**

This is a grant funded program to provide assistance to members who meet the eligibility requirements and are experiencing a heating crisis and live in the 9 county service areas in Michigan. (Kent, Lake, Manistee, Mason, Muskegon, Newaygo, Oceana, Ottawa and Wexford)  
-Amount of assistance varies according to individual income level and available funding.

**\*Food Assistance Program**

This program provides assistance to members who meet the eligibility requirements and are experiencing a dietary/food crisis. Assistance is available in all states.  
-Amount of assistance: \$200.00 per year per household; provided in \$50.00 increments.

**\*Rental and Mortgage Assistance Program**

This program provides assistance to members who meet the eligibility requirements and are experiencing a housing crisis. Assistance is available in all states.  
-Amount of assistance: Equivalent to one month’s rent or mortgage payment; not to exceed \$1000.00.

**Home Repair Program\*\***

The Home Repair Program assists home owners who meet the eligibility requirements. The program assists with the repair of substandard roof, electrical, heating, and plumbing and weatherization. Assistance is available in all states.  
-Amount of assistance: \$6000.00 per household

Income Guidelines for Assistance Programs

Family Size	150% FPIG	Eligibility is based on 3 months income prior to application
1	\$14,355	\$3,588.75
2	\$19,245	\$4,811.25
3	\$24,134	\$6,033.75
4	\$29,025	\$7,256.25
5	\$33,915	\$8,478.75
6	\$38,805	\$9,701.25
7	\$43,695	\$10,923.75
8	\$48,585	\$12,146.25

Federal Income Guideline provided by: Federal Register Part V. Department of Health and Human Services Dated February 8, 2005  
\*Program can be accessed by the Parent or Guardian of a member who has not reached the age of 18 or the legal guardian of a member who has been determined by a court of competent jurisdiction to require legal guardian over the person and/or affairs, provided that the guardian is not the State of Michigan or other state government.  
\*\*Eligibility is based on Annual Income, please contact department for income criteria.

Please contact the Members Assistance Department for complete program information and/or to request an application.

Amber Moore – Intake Clerk  
Linda Wissner – Intake Clerk  
Lee A. Ivinson – Members Assistance Coordinator

Phone: 231-723-8288 or Toll Free 888-723-8288

Physical location is at 1762 US 31 South, Manistee MI 49660  
Our mailing address is 375 River Street Manistee MI 49660.



FOOD DISTRIBUTION PROGRAM

Food Distribution Program ( FDPIR ) was created by congress in 1977 Food Stamp Act as an alternative to the Food Stamp Program for Indian Reservations. The program offers commodities to low –income Native American households. No household may participate in both the commodity food program and food stamp program , but eligible households can switch from one program to the other at the end of each month.

Eligibility and participation for FDPIR are based on application and certification requiring tribal status, income and resources qualification. In determining who is eligible to receive commodities, there is a guideline on how much income each household can have to be eligible for the program. We are Federally Funded by the USDA and they set the regulations and guidelines for commodity programs.

Guideline Eligibility Chart	
Household Size	Household Income
1.	\$ 910.00
2.	\$ 1,175.00
3.	\$ 1,440.00
4.	\$ 1,705.00
5.	\$ 1,989.00
6.	\$ 2,272.00
7.	\$ 2,537.00
8.	\$ 2,802.00
For each additional member add \$ 265.00	

Warehouse provides these food items:

Mixed Vegetables	Bush Beans	Butter	Corn Squares
Green Beans	Refried Beans	Vegetable Oil	Toasted Oats
Carrots	Lima Beans	Shortening	Crisp Rice
Kernel Corn	Pinto Beans	Can Milk	Bran Flakes
Peas	Grt. Northern Beans	Box Milk	Corn Flakes
Pumpkin	Lt. Red Kidney Beans	Farina	Italian Style Sauce
Spinach	Egg Mix	Cheese	Vegetable Soup
Slice Potatoes	Frozen Chicken	Macaroni	Tomato Soup
Sweet Potatoes	Can Chicken	Mac/ Cheese	Egg Noodles
Tomatoes	Beef Stew	Rice	Crackers
Tomato Sauce	Frozen Burger	Spaghetti	BONUS ITEMS
Applesauce	Lunch Meat	Oatmeal	Trail Mix
Fruit Cocktail	Tuna	Cornmeal	Ham
Peaches	Peanut Butter	Flour	Bison Burger
Pears	Peanuts	Bakery Mix	Bison Stew
Pineapple	Syrup	Regular / Low Fat	Cranberry Sauce

New replacement of dry Lt. Kidney Beans will be can Kidney Beans    Whole Wheat Flour

Food Distribution Program serves: 13 Counties: Leelanau, Benzie , Grand Traverse , Manistee , Wexford , Mason , Lake , Osceola , Oceana , Newaygo , Mecosta , Muskegon , Ottawa.

For more information call : 1-888-723-8288 & 1-231-398-6715 & 1-231-398-6716

Ask for : Yvonne Theodore or George Lawrence Office hours are 8:00 A.M to 5:00 P.M

Diabetic Orange Mandarin Delight

1 Lg. box orange jell-o sugar free  
1 ( 6 oz. ) can mandarin oranges, drained save the juice  
1 C. lite cool whip  
Prepare jell-o using basic directions on box. Use mandarin juice for some of the water. Put in bowl deep enough to use electric mixer. Chill until partially jelled. Beat with electric mixer until light and fluffy. Add mandarin oranges and cool whip, chill and serve.

Pink Salad  
1 Lg. container cottage cheese  
1 Lg. box cherry jell-o or sugar free jell-o  
1 can chopped pineapple drain the juice  
1 Lg. container cool whip or lite cool whip  
Mix all together chill and serve.

ALL WARRIOR SOCIETY MEMBERS

Please remember to send in your reservation for the Memorial Monument Dedication Ceremony.

You can call Al Medacco at: 231-464-5052

Or send by mail to:  
Warrior Society  
Attn Al Medacco  
375 River St.  
Manistee Mi 49660

TURKEY HUNTING SEASON IS BACK!

Message for LRBOI Tribal Members: Spring Turkey Hunting Season is April 16th - May 31

The Spring Turkey Hunting Regulation and tags are ready for pick up at the Natural Resource Department between the hours of 8 a.m. to 5 p.m.

Bonnie Harnish, Administrative Assistant  
LRBOI Natural Resource Department  
1-866-723-1594





## Happy Birthday

*Happy 11th Birthday! Sabrina Darlene Niomi Ray! (April 22, 2005)*  
*-Love, Mom, Dad, Ruby, Lourdes, and Elye*

*Happy Birthday Darlene Short*  
*Have a Nice Day*  
*-Your Loving Family*

*Happy Birthday Judy Snow*  
*Have a Nice Day*  
*-Your Loving Family*

*Happy Birthday Misty Woodward*  
*Thanks for being such a wonderful person and a great friend!!*  
*- Melissa*

*Happy 19th Birthday Kelly McCabe on April 21, 2005*  
*- Love from your family the Antonie's*

*Happy 3rd Birthday to Breanna Lynn Medacco! (January 14th)*  
*- Love Dad, Mom and Chelsea.*

*Happy B-day Alden James Willard*  
*1 yr. Old April 18th*

*Happy Birthday Dennis King*  
*- From Yvonne John Gerald Nicole*

*Happy 7th Birthday to my brother, Blaque Clyne, May 13th*  
*- I love you Sister*

*Happy Birthday Missy Renner*  
*- From Yvonne John Gerald Nicole*

*Happy Belated Birthday John Shepard*  
*- Yvonne Nicole Gerald*

*Happy 23rd Birthday to my son James Lyrenmann, May 3rd*  
*- I love you, Mom*

*Happy Belated Birthday*  
*Cody Renner*  
*- From Yvonne John Gerald Nicole*

*Happy 8th Birthday to Emily Arce on May 5.*  
*-Love mom, dad, and brother Brandon*

*Happy 7th Anniversary to Chris and Margaret DeVerney!*  
*April 1st*

*Happy Birthday*  
*Dennis King*  
*- From Your Family*

*To Acea-Margaret DeVerney*  
*Happy 12th Birthday to the new kid in town!*  
*Love, Mom, Dad, Luke and Bianca*



*Acea-Margaret at Avril Lavigne Concert*

## Congratulations!

*Congratulations Shannon Kendall daughter of Kim & Dave Kendall*  
*Granddaughter of Alyce Giltz*  
*(see article p. 18)*

*Congratulations to Brenda Kelsey on being a Muskegon Chronicle 2004 Honor carrier, she earned recognition for her years of service, strong work ethic and exemplary customer service.*

## Birth Announcement

*Karen Lasko and Ron Carlson would like to introduce you to their daughter Sabrina Marie Carlson born 11-09-04. 7lbs.12.6 oz.*



## Happy Anniversary!

*Happy 60th Anniversary to Bob Battice and his "BRIDE" Wilma.*  
*- From your children – Marvel, David, Bobbie, and Arlene*  
*We love you!*

## Just Because...

*Good Luck Don Chartier in your new job!*

*You will be missed by the many people that you have helped and the many friends that you have made while here. To many of us you have become like family. While we wish you well we hate to see you go and hope that you can come back someday.*  
*- Love, your friends at Little River*

*My Daughter Alycia Shepard has made the 7th grade Honor roll at Manistee Middle School. She has been an honor student since 5th grade. I'm so proud of you!!!*  
*-Love Dad*



*(Alycia out kayaking)*

*My daughter just got a Nike commercial gig and a breakfast cereal gig. Her agent is Hillary Duffs and Raven's from thats so Raven. she will cameo on Even Stevens too, all on the Disney channel and they will start shooting April 30th... My daughter the celeb.*  
*I am so proud !*

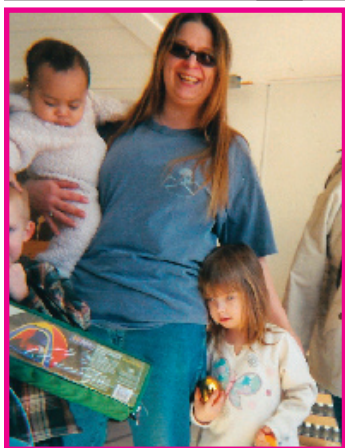


*Tianna Herr*



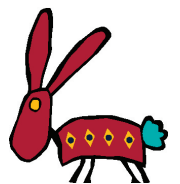
# Little River Currents

MEGWAA EZHIWEBAAK



We held the annual Easter Egg Hunt for Members in recognition of the Spring Season and in celebration of the awakening of Mother Earth. The egg represents new life. The event was put on by Be-Da-Bin Behavioral Health Department, Julie Wolfe, Youth Prevention Worker. Chi' Miigwech to the youth and community volunteers; Rachel Walsh, Bronsen Clyne, Blaque Clyne, Lisa Vance, Shaw Crampton, Ryan Champagne, Joshua Stone, Kathy Sam, and Dan Blanchard for their help.

Julie Wolfe  
LRBOI-Youth Prevention Worker



The grand prize winners of each age division,  
Aurora Breland; 0-4  
Dalton and Cody; 5-8  
Dakota Koon; 9 & up

## Annual Easter Egg Hunt & Easter Staff Luncheon

